

**ORDER OF BUSINESS  
BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA**

**JANUARY 24, 2012**

**TUESDAY  
9:30 A.M.**

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
  
- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
  - C. Special Presentations (Page 8)
  
- 3. CONSENT AGENDA (Pages 9 - 44)**
  
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 45 - 46)**
  
- 5. REGULAR AGENDA (Pages 47 - 57)**  
**TIME CERTAIN 10:15 A.M. (SOE Warehouse Lease Extension) (Page 52)**  
**TIME CERTAIN 1:30 P.M. (Executive Session – ATU) (CLOSED SESSION) (Page 50)**
  
- 6. BOARD APPOINTMENTS (Pages 58 - 65)**
  
- 7. STAFF COMMENTS (Page 66)**
  
- 8. COMMISSIONER COMMENTS (Page 67)**
  
- 9. ADJOURNMENT (Page 67)**

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TABLE OF CONTENTS

**SPECIAL PRESENTATIONS - 9:30 A.M.**

Page 8

- 2C-1 Proclamation honoring IBM for supporting Head Start
- 2C-2 500<sup>th</sup> Anniversary of Ponce de Leon's Discovery of La Florida
- 2C-3 Cancer Research Month

**CONSENT AGENDA**

**A. ADMINISTRATION**

Page 9

- 3A-1 Resolution regarding County's non-discrimination in contracting policy

**B. CLERK & COMPTROLLER**

Page 9

- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.
- 3B-5 Report of County Officials Bonds

**C. ENGINEERING & PUBLIC WORKS**

Page 10

- 3C-1 Renewal of survey and mapping annual agreements with Brown & Phillips and Dennis Leavy & Associates
- 3C-2 Agreement with Greystone at Boynton Beach HOA related to traffic control enforcement services
- 3C-3 Agreement with School Board for traffic signal at SR 809 (Military Trail & Lilac Street)
- 3C-4 Change Order No. 10 with J.W. Cheatham for improvements on 45<sup>th</sup> Street (Jog Road to Haverhill Rd and on Jog Road (south of 45<sup>th</sup> St to north of 45<sup>th</sup> St)
- 3C-5 Deleted
- 3C-6 Supplemental Agreement No. 10 with Metric Engineering relative to design plans for Silver Beach Road (Congress Ave to Old Dixie Hwy)

Page 11

- 3C-7 Contract with World Fiber Technologies for the Advanced Traffic Management Systems project
- 3C-8 Joint Participation and Project Funding Agreement with City of West Palm Beach for utility adjustments at Northlake Blvd Bridge over Loxahatchee Slough
- 3C-9 Blanket approval for appraisal and acquisition of the lands, rights-of-way, and easements needed on FY 2012 projects in the Five Year Road Program
- 3C-10 Resolution declaring acquisition of Parcel 113 needed for Lyons Road construction (Atlantic Ave to Boynton Beach Blvd)

Page 12

- 3C-11 Interlocal Agreement with City of Delray Beach for infrastructure reconstruction on SW 12<sup>th</sup> Ave/Auburn Ave (West Atlantic Ave to SW 10<sup>th</sup> St)
- 3C-12 Resolution conveying two parcels of land along Kirk Road to Village of Palm Springs
- 3C-13 Renewal of structural engineering annual agreements with Alan Gerwig & Associates, Bridge Design Associates, and R.J. Behar & Company
- 3C-14 Local Agency Program Supplemental Agreement with FDOT relative to Congress Avenue Intermodal Center project

Page 13

- 3C-15 Contract with Charles S. Whiteside for Ohio Road paving and drainage improvement project
- 3C-16 Reimbursement to City of Boca Raton for street light installation on Congress Ave (Clint Moore Rd to Boca Club Blvd)
- 3C-17 County Deed re-conveying 26 feet of land on Old South Dixie Hwy in Delray Beach
- 3C-18 Resolution to vacate a portion of drainage easement and utility easement within Lot 44, Villa Stel

TABLE OF CONTENTS

**CONSENT AGENDA CONTINUED**

**D. COUNTY ATTORNEY**

Page 14

- 3D-1 Consent to Assignment of Agreement for bond counsel and related services to Greenspoon Marder, P.A.
- 3D-2 Official transcript related to closing of Bonds for Caron Foundation of Florida project
- 3D-3 Official transcript related to closing of Bonds for Classical South Florida, Inc. project
- 3D-4 Official transcript related to closing of Bonds for Convention Center project

**E. COMMUNITY SERVICES**

Page 14

- 3E-1 Contract for Provision of Financial Assistance with Christians Reaching Out to Society to provide gleaning services

Page 15

- 3E-2 Contract for Consulting/Professional Services with Caregiver Services for health services to Head Start and Early Head Start children
- 3E-3 Standard Agreement with Area Agency on Aging for Nutrition Services Incentive Program

Page 16

- 3E-4 Amendments to Ryan White Part A HIV Health Support Services with three (3) agencies
- 3E-5 Ratify proposal to Workforce Alliance for funding to assist populations to obtain/maintain employment
- 3E-6 Contract for Provision of Financial Assistance with The Salvation Army for transitional housing services for homeless men

Page 17

- 3E-7 Ryan White grant awards to nine (9) agencies

**F. AIRPORTS**

Page 17

- 3F-1 Extension of time to two Joint Participation Agreements with FDOT for two (2) Airport projects

Page 18

- 3F-2 Airline Operating and Lease Agreement with Spirit Airlines
- 3F-3 License Agreement with Avis Rent A Car System for rental car parking area
- 3F-4 License Agreement with Naval Operations Support Center for overflow vehicle parking for Navy personnel at PBI
- 3F-5 License Agreement with Centerport, Inc. for parking of trailers and vehicles at PBI

Page 19

- 3F-6 Resolution adopting revised Disadvantaged Business Enterprise Program

Page 20

- 3F-7 Amendment No. 3 with The Morganti Group for miscellaneous repair, replacement and improvements Airport projects

Page 21

- 3F-8 Receive and file 17 Consent to Sublease Agreements

Page 22

- 3F-9 Receive and file 43 Consent to Sublease Agreements

**G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

Page 24

- 3G-1 Negotiated settlement offer for Code Enforcement Lien with Marvin Parsoff
- 3G-2 Negotiated settlement offer for Code Enforcement Lien with West Boynton Auto Services

**H. FACILITIES DEVELOPMENT & OPERATIONS**

Page 25

- 3H-1 Change Order No. 17 with Hedrick Brothers Construction relative to renovations project at Four Points
- 3H-2 First Amendment with Town of Palm Beach Shores for access to County's 800 MHz radio system

Page 26

- 3H-3 Utility Easement Agreement in favor of FPL for electrical services within DuBois Park

TABLE OF CONTENTS

**CONSENT AGENDA CONTINUED**

**I. HOUSING & COMMUNITY DEVELOPMENT**

- Page 26  
3I-1 Creation of one (1) grant funded position in Housing & Community Development
- Page 27  
3I-2 Receive and file 4 agreements and 20 amendments for several HCD programs
- Page 28  
3I-3 Two (2) Community Development Block Grant Agreements for various improvement projects

**J. PLANNING, ZONING & BUILDING** - None

**K. WATER UTILITIES**

- Page 28  
3K-1 Receive and file one (1) Indemnification Agreement with API Cameron Park  
3K-2 Wastewater Development Agreement with John Jarvis & Sons
- Page 29  
3K-3 Amendment No. 1 with AKA Services, and Johnson-Davis related to the Water Utilities Department pipeline continuing construction contract  
3K-4 Resolution revising Uniform Policies and Procedures Manual
- Page 30  
3K-5 Supplemental No. 1 with Johnson-Davis for the South County Water Service Replacement project  
3K-6 Partial Release of Utility Easement on land owned by Boca Raton Commerce Center  
3K-7 Grant of Utility Easement from School Board  
3K-8 CSA No. 5 with MWH Americas, Inc. for production wells at WTP Nos. 2, 3 and 8
- Page 31  
3K-9 Contracts for water, wastewater and reclaimed water improvements design/build services with Globaltech, Inc., and Calvin, Giordano & Associates

**L. ENVIRONMENTAL RESOURCES MANAGEMENT**

- Page 31  
3L-1 Grant Agreement with Florida Fish and Wildlife Conservation Commission for monitoring 29 reefs  
3L-2 Deleted
- Page 32  
3L-3 Task Order 1296-06 with Applied Technology and Management for design/permitting work associated with the South Lake Worth Inlet Sand Trap expansion/maintenance dredging project  
3L-4 Grant Agreement with Florida Communities Trust relative to the Cypress Creek Natural Area project
- Page 33  
3L-5 Change Order No. 5 with The Murphy Construction Company relative to the DuBois Park redevelopment project

**M. PARKS & RECREATION**

- Page 33  
3M-1 Interlocal Agreement with South Florida Science Museum and City of West Palm Beach for funding of Museum improvements  
3M-2 First Amendment with Gordon Andrews for swimming coaching services
- Page 34  
3M-3 Resolution amending Independent Contractor Agreement  
3M-4 Modification of project scope for West Delray/Boynton District Park  
3M-5 Modification of project scope for South Bay RV Park and Recreation Center

**N. LIBRARY** - None

TABLE OF CONTENTS

**CONSENT AGENDA CONTINUED**

**P. COOPERATIVE EXTENSION SERVICE**

Page 35

- 3P-1 Agreement with FL Dept. of Agriculture and Consumer Services for funding a part-time program assistant
- 3P-2 Ratify signature on Champions for Healthy Kids Legacy Grant with General Mills

**Q. CRIMINAL JUSTICE COMMISSION**

Page 36

- 3Q-1 Adult Drug Court Discretionary Grant Program Award from Dept. of Justice for development of a specialized drug treatment program for prescription drugs
- 3Q-2 Grant Adjustment Notice with FDLE relative to the Weed and Seed Grant

**R. HUMAN RESOURCES** - None

**S. FIRE RESCUE**

Page 37

- 3S-1 Ratify appointment of Fire Rescue Administrator as authorized official associated with Medicare program
- 3S-2 Receive and file four (4) standard agreements for swimming lessons

**T. HEALTH DEPARTMENT** - None

**U. INFORMATION SYSTEMS SERVICES**

Page 38

- 3U-1 Amendment No. 7 with SCT Government Systems to extend software coverage for ACS Banner Courts system
- 3U-2 Revised rate structure for network services
- 3U-3 Renewal of software license and professional services agreement with U.S. Virgin Islands relative to business license web application

Page 39

- 3U-4 First Amendment with Children's Services Council for additional server hosting services

**V. METROPOLITAN PLANNING ORGANIZATION** - None

**W. PUBLIC AFFAIRS** - None

**X. PUBLIC SAFETY**

Page 39

- 3X-1 Deleted
- 3X-2 Contract with Byron Reid for on-call veterinary services for large animals
- 3X-3 MOAs with City of Miramar for Urban Area Security Initiative funding

Page 40

- 3X-4 Hazardous Materials Contingency Planning and Grant Agreement with Florida Division of Emergency Management
- 3X-5 Dept. of Justice, Office of Violence Against Women Grants for funding Victim Services and Rape Crisis Center

Page 41

- 3X-6 Grant Agreement with City of Miramar for Urban Area Security Initiative funding
- 3X-7 Agreements with five (5) municipalities for use of Geographic-based Notification System

Page 42

- 3X-8 Agreement with Palm Beach State College to provide CERT training

**Y. PURCHASING** - None

**Z. RISK MANAGEMENT** - None

**TABLE OF CONTENTS**  
**CONSENT AGENDA CONTINUED**

**AA. PALM TRAN**

- Page 42  
3AA-1 Resolution conveying three (3) Arboc Mobility 20-Passenger buses to Hernando County

**BB. SHERIFF'S OFFICE**

- Page 43  
3BB-1 FY 2011 State Homeland Security Grant for Homeland Security Initiatives  
3BB-2 FY 2011 Homeland Security Grant for Operation Stonegarden  
3BB-3 Bureau of Justice Assistance State Criminal Alien Assistance Grant for correctional services
- Page 44  
3BB-4 Budget Transfer from Law Enforcement Trust Fund to various drug/crime prevention and/or education programs

**CC. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY**

- Page 44  
3CC-1 Modification No. 4 with Division of Emergency Management associated with canal improvements to LWDD L-2 Canal

**PUBLIC HEARINGS – 9:30 A.M.**

- Page 45  
4A Municipal Service Taxing Unit Special Assessment Ordinance  
4B Resolution confirming special assessment for 1<sup>st</sup> Street, 2<sup>nd</sup> Street, 3<sup>rd</sup> Street, Sunbeam Avenue and Wallis Road paving and drainage project
- Page 46  
4C Resolution confirming special assessment for Michlar Drive, Tamis Trail and 105<sup>th</sup> Avenue South paving and drainage project  
4D FY 2011 Section 5307 Federal Transit Administration Grant Application for capital funds for continued operation of the Palm Tran system

**REGULAR AGENDA**

**ADMINISTRATION**

- Page 47  
5A-1 Resolution supporting current structure and adequate funding of water management districts  
5A-2 Ground Lease Agreement with The Scripps Research Institute  
5A-3 Resolution supporting continued local control of regional workforce boards
- Page 48  
5A-4 Resolution conceptually approving a Job Growth Incentive Grant with Digital Risk, LLC
- Page 49  
5A-5 Glades Utility Authority Update
- Page 50  
5A-6 First Amendment for legal services with Sundstrom, Friedman & Fumero related to the Glades Utility Authority  
5A-7 Executive Session with ATU – **TIME CERTAIN 1:30 P.M. (CLOSED SESSION)** (McEaddy)

**COMMUNITY SERVICES**

- Page 51  
5B-1 Service Agreement with American Eldercare, Inc. to provide community-based assistance

TABLE OF CONTENTS

**REGULAR AGENDA CONTINUED**

**FACILITIES DEVELOPMENT & OPERATIONS**

Page 51

5C-1 Request from Boynton Beach CRA to allow demolition of a building within Boynton Beach Marina

Page 52

5C-2 Renewal of Sublease with Huttig Building Products for warehouse space by Supervisor of Elections-**TIME CERTAIN 10:15 A.M.**

5C-3 Contract negotiations for sale and development of the Wedge Property within the TOD

**PLANNING, ZONING & BUILDING**

Page 53

5D-1 Resolution granting County tax exemption for one (1) historic property within the City of Delray Beach

**HOUSING & COMMUNITY DEVELOPMENT**

Page 54

5E-1 First Mortgage Modification Policies

Page 55

5E-2 Amendment No. 2 to Residential Rehabilitation Program Policies

5E-3 Additional Neighborhood Stabilization Program 2 funding to Neighborhood Renaissance, Inc. for acquisition and rehabilitation of foreclosed homes

**WATER UTILITIES**

Page 56

5F-1 Amendment No. 1 to Reclaimed Water Agreement with FPL

**COUNTY ATTORNEY**

Page 56

5G-1 Memorandum of Agreement with Health Department relative to duties/responsibilities of Environmental Control Officer

**PUBLIC SAFETY**

Page 57

5H-1 Resolution amending Emergency Medical Services Advisory Council

**BOARD APPOINTMENTS** (Pages 58-65)

**STAFF COMMENTS** (Page 66)

**COMMISSIONER COMMENTS** (Page 67)

**ADJOURNMENT** (Page 67)

**JANUARY 24, 2012**

**2C. SPECIAL PRESENTATIONS – 9:30 A.M.**

1. Proclamation honoring IBM for supporting Palm Beach County Community Services Head Start. (Sponsored by Commissioner Taylor)
  
2. Proclamation honoring the 500<sup>th</sup> Anniversary of Don Juan Ponce de Leon’s Discovery of La Florida. (Sponsored by Commissioner Santamaria)
  
3. Proclamation declaring February 2012 as “Cancer Research Month” in Palm Beach County. (Sponsored by Commissioner Abrams)

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending R92-13, establishing the policy that Palm Beach County shall not do business with nor appropriate funds for any public or private organization which practices discrimination on the basis of race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity or expression, or disability. **SUMMARY:** This amended Resolution will update the County's non-discrimination in contracting policy so that the protected classes are consistent with the protected classes in the County's Equal Employment Ordinance. Countywide (TKF)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. Staff recommends motion to approve: the following final minutes of the Board of County Commissioners' meetings:

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	December 6, 2011
Joint Workshop w/City of Boca Raton	December 7, 2011

3. Staff recommends motion to approve: Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. Staff recommends motion to receive and file: change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during October 2011. Countywide

5. Staff recommends motion to:
  - A) **receive and file** the Report of County Officials Bonds dated January 2012; and
  - B) **identify** all bonds described in the Bond Report as sufficient pursuant to Section 2-140, of the County Code.

**SUMMARY:** Section 2-140 of the County Code sets various bond amounts for specified County officers and provides for examination of the sufficiency of all of the bonds at a regular meeting of the Board of County Commissioners in January and June of each year. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: the renewal of the survey and mapping annual agreements with Brown & Phillips, Inc. (B&P), whose original agreement was dated February 15, 2011, R2011-0176 and Dennis J. Leavy & Associates, Inc. (DJL), whose original agreement was dated February 15, 2011, R2011-0177. **SUMMARY:** Approval of these renewal agreements will extend required professional services for one (1) year, on a task order basis. Both renewal agreements will continue for the period of February 15, 2012, through February 14, 2013. B&P and DJL are both Palm Beach County companies and certified Small Business Enterprises. Countywide (MRE)
  
2. Staff recommends motion to approve: an Agreement with Greystone at Boynton Beach Homeowners Association Incorporated (Community) for traffic control jurisdiction to be performed by the Palm Beach County Sheriff's Office (Sheriff). **SUMMARY:** Approval of this Agreement will authorize the Sheriff's Office to provide traffic control enforcement services within the Community. District 5 (MRE)
  
3. Staff recommends motion to approve:  

**A)** an Agreement with the Palm Beach County School Board (Board) reimbursing Palm Beach County (County) for the construction of a traffic signal at State Road 809 (Military Trail) and Lilac Street; and

**B)** a Budget Amendment of \$265,000 in the Transportation Improvement Fund to recognize the reimbursement of funding by the Board for the actual cost of the improvements.

**SUMMARY:** Approval of this Agreement and Budget Amendment will allow the construction of a traffic signal at the intersection of Military Trail and Lilac Street by the County's Traffic Division. This signal will improve the movement of traffic in the area of Palm Beach Gardens High School. The Board will reimburse the County the full cost of the traffic signal in an amount not to exceed \$265,000. District 1 (MRE)
  
4. Staff recommends motion to approve: Change Order No. 10 in the amount of \$181,496.79 to the construction contract (Resolution No. R2010-0022) with J.W. Cheatham, LLC, for the 45<sup>th</sup> Street from Jog Road to east of Haverhill Road and Jog Road south of 45<sup>th</sup> Street to north of 45<sup>th</sup> Street (Project). **SUMMARY:** Approval of Change Order No. 10 will compensate for costs and delays associated with the bridge superstructure concrete overrun. Change Order No. 10 is being brought to the Board of County Commissioners because the dollar amount exceeds the maximum amount allowed by the Contract Review Committee as referenced in PPM-CWF-50. Errors and omissions against the consultant, Metric Engineering, will be considered at the end of the Project. Districts 6 & 7 (MRE)
  
5. **DELETED**
  
6. Staff recommends motion to approve: Supplemental Agreement No. 10 to Project Agreement R2004-0053 in the amount of \$111,450.96 with Metric Engineering, Inc. for professional services. **SUMMARY:** Approval of this Supplemental Agreement will provide the services necessary for the preparation of modified design plans for Silver Beach Road from east of Congress Avenue to Old Dixie Highway. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to approve: a 300 calendar day Contract with World Fiber Technologies, Inc. (Contractor), the lowest, responsive, responsible bidder, in the amount of \$2,542,140.67 for the Advanced Traffic Management Systems – Group 3 (Project), Project No. 2011059. **SUMMARY:** Approval of this Project will allow the expansion of Palm Beach County's (County) Advanced Traffic Management System. This will include the installation of a single mode fiber-optic communications system and integration with the existing ITS communications network along with the installation of cameras at different locations throughout the County. The construction Contract is wholly funded with federal grant funds; therefore, neither the Small Business Enterprise Ordinance, nor the Local Preference Ordinance apply to this Project. The Contractor is an out of state business. Countywide (MRE)
  
8. Staff recommends motion to approve:
  - A)** a Joint Participation and Project Funding Agreement (Agreement) with the City of West Palm Beach (City) in the amount of \$39,204 for utility adjustments at Northlake Boulevard Bridge over the Loxahatchee Slough; and
  
  - B)** a Budget Amendment of \$39,204 in the Environmental Resources Capital Projects Fund to recognize reimbursement from the City and appropriate it to utility relocation on the Northlake Boulevard Bridge over the Loxahatchee Slough.

**SUMMARY:** Approval of this Agreement and Budget Amendment will allow Palm Beach County (County) and the City to jointly participate in the utility adjustments to the water distribution system and other improvements along the right-of-way. The City agrees to reimburse the County for the cost of these utility adjustments and other improvements. District 6 (MRE)
  
9. Staff recommends motion to approve:
  - A)** a blanket approval for appraisal and acquisition of the lands, rights-of-way, and easements on all Fiscal Year 2012 projects as identified in the Five Year Road Program Annual Update, as adopted on December 1, 2011; and
  
  - B)** the employment of all experts, including but not limited to real estate appraisers, engineers, certified public accountants, business damage experts, and other experts, deemed necessary to appraise and acquire the before mentioned lands, rights-of-way, and easements.

**SUMMARY:** On December 1, 2011, the Board of County Commissioners adopted the Annual Update of the Five Year Road Program for Fiscal Year 2012 through Fiscal Year 2016. Approval of this item will provide for the acquisitions necessary to accomplish the road goals set therein. Countywide (MRE)
  
10. Staff recommends motion to adopt: a Resolution to declare the acquisition of property designated as Parcel 113 as right-of-way necessary for the construction of Lyons Road from north of Atlantic Avenue to south of Boynton Beach Boulevard. **SUMMARY:** The adoption of this Resolution will initiate eminent domain proceedings against one parcel having an appraised value of \$182,000. District 5 (PM)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

11. Staff recommends motion to approve: a new Interlocal Agreement with the City of Delray Beach in an amount not to exceed \$1,000,000 for infrastructure reconstruction which includes asphalt resurfacing, landscaping, drainage, pavement markings and signing on Southwest 12th Avenue/Auburn Avenue from West Atlantic Avenue to Southwest 10<sup>th</sup> Street. **SUMMARY:** Approval of this new Interlocal Agreement will provide continued funding as outlined in the prior agreement R2009-2108 that expired on September 1, 2011 and will make the new completion date December 1, 2012. The funding amount and the installation of infrastructure and road improvements of \$1,000,000 from the Transportation Improvement Fund Reserve for District 7 shall remain the same. The project is currently under construction and the City anticipates completion by late February 2012. District 7 (MRE)
  
12. Staff recommends motion to adopt: a Resolution authorizing the conveyance of two (2) Palm Beach County (County) owned parcels of land along Kirk Road to the Village of Palm Springs (Village). **SUMMARY:** Adoption of this Resolution will allow the approval of two (2) County Deeds in favor of the Village for the creation of a park on Kirk Road, near Park Lane. Pursuant to County Ordinance 2009-052, a **supermajority vote is required** for this proposed conveyance to the Village. The total conveyance is approximately 2.11 acres. The parcels have a current estimated market value of \$180,000. However, the County will be retaining portions of the parcels for right-of-way and encumbering most of the remaining property with drainage easements, thus significantly lowering the ultimate final market value. District 3 (MRE)
  
13. Staff recommends motion to approve: the renewal of the structural engineering annual agreements with Alan Gerwig & Associates, Inc. (AGA), whose original Agreement was dated February 15, 2011, R2011-0173; Bridge Design Associates (BDA), whose original Agreement was dated February 15, 2011, R2011-0174 and R. J. Behar & Company, Inc. (RJB), whose original Agreement was dated February 15, 2011 R2011-0175. **SUMMARY:** Approval of these renewal agreements will extend required professional services for one (1) year, on a task order basis. These renewal agreements will continue for the period of February 15, 2012, through February 14, 2013. AGA, BDA and RJB are Palm Beach County companies. Countywide (PK)
  
14. Staff recommends motion to:
  - A) ratify** a Local Agency Program Supplemental Agreement (LAP) with the Florida Department of Transportation (FDOT) to extend the expiration date for Palm Beach County's (County) Congress Avenue Intermodal Center project to June 30, 2012 and to add E-Verify language; and
  - B) adopt** a new Resolution to replace Resolution R2010-1969, authorizing the County Administrator or his designee to approve amendments to existing funding agreements with FDOT, that involve time extensions and/or the addition of the E-Verify language, which is now required by FDOT.

**SUMMARY:** Ratification of this LAP extends the completion date for the project from December 31, 2011 to June 30, 2012 and also adds the E-Verify language now required by FDOT. Adoption of the new Resolution will allow the County Administrator or his designee to approve amendments or supplemental agreements to existing FDOT agreements that involve time extensions and/or the addition of the E-Verify language. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

15. **Staff recommends motion to approve:** a 120 calendar day Contract with Charles S. Whiteside, Inc. (Contractor), the lowest, responsive, responsible bidder, in the amount of \$158,180, for the Ohio Road Paving & Drainage Improvements, Project No. 2011054 (Project). **SUMMARY:** Approval of this Project will provide for the construction of roadway improvements and storm drainage systems on Ohio Road including roadway pavement, concrete driveway aprons, drainage structures, piping and sodding. The Contractor is a Palm Beach County business. The Construction Contract is funded by a Community Development Block Grant through Housing and Community Development with the PBC Water Utilities Department jointly participating in the amount of \$18,575, therefore the Small Business Enterprise (SBE) Ordinance does not apply to this Project; however, the Contractor is a Palm Beach County certified SBE. District 2 (MRE)
  
16. **Staff recommends motion to approve:** a reimbursement to the City of Boca Raton in the amount of \$98,666.47 for the total cost to install 14 street lights on Congress Avenue from Clint Moore Road to Boca Club Boulevard. **SUMMARY:** Approval of this agenda item will reimburse the City of Boca Raton(City) for expenses already incurred with the installation of 14 - 200 watt high pressure sodium vapor lights (street lights) which has been completed since October 2009, on Congress Avenue between Clint Moore Road and Boca Club Boulevard. Palm Beach County (County) entered into an agreement (R2008-0501) with the City on April 1, 2008, to install 82 street lights on Congress Avenue between Clint Moore Road and the C-15 Canal. That agreement expired November 30, 2009 before the remaining 68 streetlights could be installed. District 4 (MRE)
  
17. **Staff recommends motion to approve:** a County Deed re-conveying to the original owner 26 feet of a 76 foot parcel of land deeded to Palm Beach County as right-of-way located on Old South Dixie Highway (Dixie Highway) in Delray Beach, Florida. **SUMMARY:** Approval of this item will allow the transfer of ownership of the east 26 feet of a 76 foot parcel (Parcel) of land originally deeded by Del-Raton Mobile Home Headquarters, Inc. to Palm Beach County (County) as right-of-way. The Parcel was originally required for potential future roadway purposes and is located on the east side of Dixie Highway lying between Avenue L and La Mat Avenue, Delray Beach, Florida. This re-conveyance will comply with a reverter and revesting clause incorporated in the deed to the County. District 4 (MRE)
  
18. **Staff recommends motion to adopt:** a Resolution to vacate a portion of a drainage easement and a portion of a utility easement within Lot 44, Villa Stel, as recorded in Plat Book 52, Page 82, Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will allow the petitioner to vacate the portions of the easements encumbered by the pool deck and screen enclosure. The petition site is located east of Powerline Road and north of Southeast 18<sup>th</sup> Street on the east side of Via Stel. The petitioner is requesting the vacation to clear the encumbrances to allow the property to be marketable. District 4 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** Consent to the Assignment of Agreement for Bond Counsel and Related Services (R2010-1220) ("Agreement") from Ruden McClosky P.A. to Greenspoon Marder, P.A. **SUMMARY:** Ruden McClosky, P.A. recently sold its law practice to Greenspoon Marder, P.A. The Agreement requires the County to consent to any assignment of the Agreement to another law firm. Staff recommends that consent because the same attorneys will be providing the legal services to the County after the assignment of the Agreement. Countywide (PFK)
2. **Staff recommends motion to receive and file:** the official transcript for the closing of the Palm Beach County, Florida, \$8,600,000 Aggregate Principal Amount Amended and Restated Tax-Exempt Adjustable Mode Revenue Bonds (Caron Foundation of Florida, Inc. Project) Series 2008, as authorized by Resolution R2011-0940 adopted on June 21, 2011. The closing occurred September 1, 2011. **SUMMARY:** On June 21, 2011, the Board adopted Resolution No. R2011-0940, authorizing the issuance of the Bonds. The closing occurred September 1, 2011. The official transcript and CD-ROM for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)
3. **Staff recommends motion to receive and file:** the official transcript for the closing of the Palm Beach County, Florida, \$4,600,000 Industrial Development Revenue Bond, Series 2011 (Classical South Florida, Inc. Project), as authorized by Resolution R2011-1835 adopted on November 15, 2011. The closing occurred December 1, 2011. **SUMMARY:** On November 15, 2011, the Board adopted Resolution No. R2011-1835, authorizing the issuance of the Bonds. The closing occurred December 1, 2011. The official transcript and CD-ROM for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)
4. **Staff recommends motion to receive and file:** the official transcript for the closing of the Palm Beach County, Florida, \$62,775,000 Public Improvement Revenue Refunding bonds, Series 2011 (Convention Center Project), as authorized by Resolution R2011-1100 adopted on July 19, 2011. The closing occurred August 31, 2011. **SUMMARY:** On July 19, 2011, the Board adopted Resolution No. R2011-1100, authorizing the issuance of the Bonds. The closing occurred August 31, 2011. The official transcript and CD-ROM for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Contract for Provision of Financial Assistance with Christians Reaching Out to Society, Inc. for the period of October 1, 2011, through September 30, 2012, in an amount not to exceed \$49,000 to provide gleaning services. **SUMMARY:** Christians Reaching Out to Society, Inc. (CROS) will recruit and coordinate gleaning opportunities through local church, civic and non-profit agencies in the County to develop strong neighborhood relationships, opportunities and support systems. Gleaning is the gathering of excess produce after the fields have been harvested. The produce is distributed to homeless shelters, day care centers, senior centers, and emergency food pantries. This project is a collaboration between Palm Beach County, CROS and United Way to bring fresh produce into low-income neighborhoods as fresh fruit and vegetables are usually too expensive and/or of poor quality in these areas. The addition of these resources adds much needed nutrition to the diet and promotes health and wellness. (Community Action Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Caregiver Services, Inc., d/b/a Friends Assisting Seniors & Families, for the period of October 1, 2011, through September 30, 2012, in an amount totaling \$122,560 for health services to Head Start and Early Head Start children:

A) \$34,280 for Early Head Start services;

B) \$34,280 for Early Head Start Expansion services; and

C) \$54,000 for Head Start services

**SUMMARY:** The Division of Head Start has received funds from the Department of Health and Human Services (HHS) to provide health services. As a result, Head Start is contracting with Caregiver Services, Inc., d/b/a Friends Assisting Seniors & Families to provide health services to Head Start and Early Head Start children. The contract is funded through a combination of Federal grant and County funds. (Head Start) Countywide (TKF)

3. **Staff recommends motion to approve:** Standard Agreement No. IU012-9500 for Nutrition Services Incentive Program (NSIP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period October 1, 2011, to December 30, 2012, in an amount not to exceed \$338,482, to provide effective delivery of nutritious meals to older individuals. **SUMMARY:** DOSS receives funds through the AAA to supplement the cost of providing meals to seniors through the Older American Act (OAA) Congregate and Home Delivered Meal programs. The reimbursement unit rate is \$0.68 per meal. Employee Jamie Estremera-Fitzgerald, serves on a County Advisory Board, the Criminal Justice Mental Health & Substance Abuse Planning Council. The Board/Council provides no regulation, oversight, management, or policy-setting recommendations regarding the AAA contract. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. (DOSS) Countywide, except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. **Staff recommends motion to approve:** three (3) amendments to Ryan White Part A HIV Health Support Services (Formula) Contracts for the period March 1, 2011, through February 29, 2012:

**A)** Amendment No. 2 to Treasure Coast Health Council, Inc. (R2011-0476) to decrease funding for Specialty Outpatient Medical Care Services by \$115,000 for a new total contract amount not-to-exceed \$394,146;

**B)** Amendment No. 2 to Comprehensive Community Care Network, Inc. d/b/a Foundcare (R2011-0469) to decrease funding for Outpatient Primary Care by \$20,000, Lab/Diagnostic by \$30,000, Home Health Care by \$30,000, Mental Health Counseling by \$5,000 and Emergency Financial Assistance by \$18,000 for a new total contract amount not-to-exceed \$505,619;

**C)** Amendment No. 4 to Comprehensive AIDS Program, Inc. (R2011-0468) to increase funding for Medical Case Management by \$218,000 for a new total contract amount not-to-exceed \$1,526,293.

**SUMMARY:** Ryan White HIV Health Support service dollars are reviewed throughout the contract year and reallocated to best meet the needs of affected clients. A decrease of \$115,000 from Treasure Coast Health Council, Inc. and \$103,000 from Comprehensive Community Care Network, Inc. d/b/a Foundcare will be reallocated to Comprehensive AIDS Program, Inc. (\$218,000). These reallocations allow additional clients to be served with Medical Case Management services. No County funds are required. (Ryan White) Countywide (TKF)

5. **Staff recommends motion to ratify:** the signature of the Chair on a proposal submitted to the Workforce Alliance, Inc. in response to a Request for Proposals for Targeted Populations to Enter Unsubsidized Employment, for a one-year period, in the amount of \$176,436. **SUMMARY:** The Targeted Populations to Enter Unsubsidized Employment grant will provide funding to assist targeted populations to obtain and maintain gainful unsubsidized employment. This service will be provided through the Homeless Resource Center (HRC). Forty unemployed homeless individuals will be assessed and enrolled in a training and placement employment program. The Lord's Place, as a partner at the Homeless Resource Center, will be the service provider. (Human Services) Countywide (TKF)

6. **Staff recommends motion to approve:** Contract for Provision of Financial Assistance with The Salvation Army, a Georgia Corporation, for the period October 1, 2011, through September 30, 2012, in the amount not to exceed \$74,250, for transitional housing services for homeless men. **SUMMARY:** The information submitted reflects part of the total \$13,229,511 funding approved by the Board of County Commissioners for the Financially Assisted Agencies Program for FY 2012. Funds for this service are part of the Homeless Resource Center allocation in the Homelessness Service Category. The use of these funds is recommended to ensure continuity of services prior to and during the Homeless Resource Center start-up. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. **Staff recommends motion to approve:** recommended grant awards for Ryan White Part A and Minority AIDS Initiative (MAI) federal funds in an estimated total amount of \$6,615,223 based on current year grant funding as follows:

<u>Agency</u>	<u>Amount</u>
A) FoundCare, Inc.	\$547,239
B) Palm Beach County Health Department	\$2,358,864
C) Treasure Coast Health Council, Inc.	\$453,000
D) Health Care District of Palm Beach County	\$775,403
E) Compass, Inc.	\$330,082
F) Comprehensive AIDS Program of Palm Beach County, Inc.	\$1,878,515
G) Gratitude House, Inc.	\$17,120
H) Legal Aid Society of Palm Beach County, Inc.	\$255,000
<b>Total Amount</b>	<b>\$6,615,223</b>

**SUMMARY:** The awards will provide new or ongoing funding for agencies providing services to residents of Palm Beach County living with HIV/AIDS. The Ryan White Program provides services under several categories including in Outpatient/Ambulatory Medical Care, Laboratory Diagnostic Testing, Drug Reimbursement, Medical Case Management, and Non-Medical Case Management. The detailed list of awards with service categories is attached to the Agenda Item. As directed by the federal Department of Health and Human Services, the Department of Community Services issues a Request for Proposals (RFP) every three (3) years. The agencies listed were selected through a RFP process issued September 29, 2011 and have been recommended to receive funding for the RFP cycle. The Grantee, Palm Beach County, is responsible for selecting and contracting with service providers and the Palm Beach County HIV CARE Council is charged with the sole responsibility of determining service priorities and allocation of funding accordingly. The award amounts are subject to change based on the actual 2012 award and recommendations from Palm Beach County HIV CARE Council. The Provider contracts will be submitted for Board Approval on a future BCC agenda. Under the Ryan White Part A Treatment Extension Act of 2009, the Palm Beach County HIV CARE Council establishes priority service areas and assigns funding percentages. These are 100% federal grant-funded services. (Ryan White) Countywide (TKF)

F. AIRPORTS

1. **Staff recommends motion to approve:** an Extension of Time to the following Joint Participation Agreements (JPA) with the Florida Department of Transportation (FDOT):

**A)** Airfield Taxiway Rehabilitation at Palm Beach International Airport, Fin. Proj. No.: 414564-1-94-01 approved by the Board on October 16, 2007 (R2007-1792) is hereby extended until December 31, 2012; and

**B)** Construct Apron, Taxilanes and Hangars at North Palm Beach County General Aviation Airport, Fin. Proj. No.: 416294-1-94-01 approved by the Board on September 23, 2008 (R2008-1636) is hereby extended until December 31, 2012.

**SUMMARY:** Delegation of authority for execution of the above Extensions of Time to the JPAs with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F11). Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to receive and file: Airline Operating and Lease Agreement with Spirit Airlines, Inc. commencing November 1, 2011 and terminating September 30, 2012, with an automatic extension of the initial term on a year-to-year basis. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2007-1968. Countywide (AH)
  
3. Staff recommends motion to receive and file: License Agreement with Avis Rent A Car System, LLC (Avis) commencing December 1, 2011 and expiring January 31, 2012, for the parking of vehicles in connection with Avis' rental car operation at the Palm Beach International Airport (PBIA), for payment of a license fee in the amount of \$2,925 per month. **SUMMARY:** Delegation of authority for execution of the standard license agreement was approved by the Board in R2007-2070. This License Agreement provides for the use of approximately 43,200 square feet of parking area adjacent to the Avis rental car facility at PBIA, for use solely for the parking of vehicles in connection with Avis' rental car operation at PBIA. Countywide (AH)
  
4. Staff recommends motion to approve: License Agreement (Agreement) with Naval Operations Support Center (NOSC) West Palm Beach, granting NOSC a nonexclusive license to use property located at the northwest corner of Belvedere Road at Clubhouse Drive at the Palm Beach International Airport (PBIA) on dates and at times approved by the County in writing for overflow vehicle parking by U.S. Navy reserve personnel at no charge. **SUMMARY:** This Agreement provides for vehicle parking on unimproved Airport property by U.S. Navy reserve personnel associated with NOSC's facility on Marine Drive, north of PBIA. NOSC conducts drills at the facility and has requested the right to use the property from time to time for overflow parking. NOSC will submit written requests specifying the dates and times parking is requested, which must be approved in writing by the Airport Director or his designee. The Agreement will expire on September 30, 2016. The Agreement is being granted to NOSC at no charge and may be revoked upon notice. Countywide (AH)
  
5. Staff recommends motion to receive and file: License Agreement with Centerport, Inc. (Centerport) commencing January 1, 2012 and expiring December 31, 2012, for the parking of trailers and vehicles in connection with Centerport's cargo operation at the Palm Beach International Airport (PBIA), for payment of a license fee in the amount of \$162.50 per month. **SUMMARY:** Delegation of authority for execution of the standard license agreement was approved by the Board in R2007-2070. This License Agreement provides for the use of approximately 3,000 square feet space adjacent to the flight crew parking lot areas at PBIA, for use solely for the parking of trailers and vehicles in connection with Centerport's cargo operation at PBIA. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting a revised Disadvantaged Business Enterprise Program (DBE) for the Department of Airports (Department) DBE Program); authorizing the County Administrator or his designee to execute the DBE Program Policy Statement, to transmit the DBE Program to the Federal Aviation Administration (FAA) for approval and to make certain adjustments to the DBE Program; repealing Resolution 99-1501; providing for severability; and providing for an effective date. **SUMMARY:** The County, as an airport sponsor receiving more than \$250,000 in Airport Improvement Program grant funding, is required to adopt and implement a DBE Program for the Department pursuant to 49 CFR Part 26. The County adopted a DBE Program on August 24, 1999 (R-99-1501). The U.S. Department of Transportation recently adopted rules modifying several of the provisions of 49 CFR Part 26. In addition, the existing DBE Program requires updating to reflect current Departmental procedures. This Resolution adopts a revised DBE Program for the Department and authorizes the County Administrator or his designee to execute the DBE Program Policy Statement and transmit the DBE Program to the FAA for approval. This Resolution also authorizes the County Administrator or his designee to make adjustments to the DBE Program from time to time to ensure compliance with 49 CFR Part 26; document changes in County or Departmental procedures or policies; or as otherwise required or recommended by the FAA, the Unified Certification Program for the State of Florida, or applicable federal regulations, policies, guidance documents, or orders. Any changes to the DBE Program shall be filed in the Minutes of the Clerk of the Board and be subject to approval by the FAA as provided in 49 CFR Part 26. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

7. Staff recommends motion to approve:

**A)** Amendment No. 3 to the Construction Manager at Risk (CMR) Contract with The Morganti Group, Inc. for the miscellaneous repair, replacement and improvement projects for Palm Beach County Department of Airports, exercising the third and final one (1) year renewal option for the continuation of services and to modify the contract to include language regarding the compliance with E-Verify and direct purchase materials;

**B)** Task No. M-11: Pre-Purchase of Terminal Chiller and Cooling Tower equipment at Palm Beach International Airport (PBIA) in the amount of \$1,570,000; and

**C)** a Budget Transfer of \$700,000 in the Airports Improvement and Development Fund from Reserves to provide additional budget needed to fund the purchase of the equipment.

**SUMMARY:** The CMR Contract with The Morganti Group, Inc. a Palm Beach County company, for the Miscellaneous Repair, Replacement and Improvement Projects for Palm Beach County Department of Airports was approved on May 20, 2008 (R2008-0850). The Contract is for two (2) years with three (3) - one (1) year renewal options. Amendments No. 1 and No. 2 exercised two out of the three renewal options. Approval of Amendment No. 3 will allow the County, at its sole discretion, to exercise the third and final one (1) year renewal option for the continuation of services provided under the CMR Contract. In addition, this amendment will modify the contract to include State and Federal requirements that the Contractor utilize the U.S. Department of Homeland Security's E-Verify System, in accordance with the terms governing use of the system, to confirm the employment eligibility of the employees to work in the United States. Amendment No. 3 will also modify the contract to include additional language relating to provisions for State of Florida sales and use tax exemption for County-furnished materials. This language allows for substantial cost savings for the County due to direct owner purchase of materials while still holding the Contractor responsible for all matters relating to the receipt of materials and equipment furnished by the County in accordance with the Special Conditions contained in the Amendment. This Amendment will allow for more than \$1,250,000 in direct owner-purchased supplies and equipment, resulting in a sales tax savings of approximately \$75,000. Approval of Task No. M-11: Pre-Purchase of Chiller and Cooling Tower equipment in the amount of \$1,570,000 will enable the Department of Airports to purchase equipment that is needed to support the Terminal Chiller and Cooling Tower Improvements Project at PBIA currently under design that must be completed in advance of the summer season. It also includes pre-construction services required for solicitation and review of bids for the equipment. The Small Business Enterprise (SBE) Goal for this contract was established at 15%. The total SBE contract participation to date is 15.63%. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

8. Staff recommends motion to receive and file: seventeen (17) original documents for the Department of Airports:

**A)** Consent to Sublease for Galaxy Aviation of Palm Beach, Inc. and Dassault Falcon Jet – Wilmington Corp., commencing September 1, 2011;

**B)** Consent to Sublease for Galaxy Aviation of Palm Beach, Inc. and Executive Air Services, LLC, commencing November 1, 2011;

**C)** Consent to Sublease for Galaxy Aviation of Palm Beach, Inc. and Executive Airlink, Inc., commencing August 4, 2011;

**D)** Consent to Sublease for Galaxy Aviation of Palm Beach, Inc. and SK Jets, Inc., commencing September 1, 2011;

**E)** Consent to Sublease for Galaxy Aviation of Palm Beach, Inc. and Skyblue Aviation Group, Inc., commencing August 1, 2011;

**F)** Consent to Sublease for Florida Airmotive, Inc. and Sarasota Avionics, Inc., commencing September 1, 2011;

**G)** Consent to Sublease for Jet Aviation Associates, Ltd. and Advanced Airways, commencing October 1, 2011;

**H)** Consent to Sublease for Jet Aviation Associates, Ltd. and Comvest Group Holdings, LLC, commencing November 1, 2011;

**I)** Consent to Sublease for Jet Aviation Associates, Ltd. and Continental Mining and Metallurgical Corp. (hangar) commencing June 1, 2011;

**J)** Consent to Sublease for Jet Aviation Associates, Ltd. and Continental Mining and Metallurgical Corp. (Amendment 1), commencing July 1, 2011;

**K)** Consent to Sublease for Jet Aviation Associates, Ltd. and Dealers Management Ltd., commencing May 20, 2011;

**L)** Consent to Sublease for Jet Aviation Associates, Ltd. and Enterprise Leasing Company, commencing February 23, 2009;

**M)** Consent to Sublease for Jet Aviation Associates, Ltd. and Flight Safety International, Inc., commencing May 1, 2011;

**N)** Consent to Sublease for Jet Aviation Associates, Ltd. and Grussair, LLC, commencing June 1, 2011;

**O)** Consent to Sublease for Jet Aviation Associates, Ltd. and JETEX, LLC, commencing September 13, 2011;

**P)** Consent to Sublease for Jet Aviation Associates, Ltd. and N25ORG, LLC, commencing June 7, 2011; and

**Q)** Consent to Sublease for Jet Aviation Associates, Ltd. and North American Realty Services LLLP, commencing August 1, 2011.

**SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R94-1453. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

9. Staff recommends motion to receive and file: forty-three (43) original documents for the Department of Airports:

**A)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Seminole Wind, Inc., commencing November 9, 2011;

**B)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Roger Bates, commencing September 1, 2011;

**C)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Skylane Flights, LLC, commencing April 1, 2011;

**D)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and ATEC, Inc., commencing September 1, 2011;

**E)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and WHR Sales, commencing June 1, 2011;

**F)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Cloud 9 Helicopters, LLC, commencing April 1, 2011;

**G)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Leroy J. Bush commencing September 1, 2011;

**H)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and P&C Leasing, LLC, commencing May 1, 2011;

**I)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Aircraft Mobile Detailing LLC, commencing September 15, 2011;

**J)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Nettles Enterprises, Inc., commencing September 1, 2011;

**K)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Gator Wholesale Supply, commencing July 1, 2011;

**L)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and M&M Medical Products, commencing June 1, 2011;

**M)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Skylayne Aviation, Inc., commencing September 1, 2011;

**N)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and James Roswell (Building 11350, Number 5), commencing February 1, 2011;

**O)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and James and Lois Garza, commencing July 1, 2011;

**P)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Jupiter Yacht Charters, Inc. d/b/a Albury Brothers Boats, commencing October 1, 2011;

**Q)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and James Roswell (Building 11350, Number 17), commencing February 1, 2011;

**R)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Ocean Helicopters, commencing November 1, 2004;

**S)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and SunQuest Aviation (Building 11610, Offices 15 and 16), commencing April 1, 2010;

**T)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and SunQuest Aviation (Building 11610, Offices 19 and 20), commencing November 1, 2004;

**U)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Luhtech Jet, commencing October 1, 2011;

**V)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Jet Tech Interiors, commencing April 1, 2010;

**W)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Island Aircraft Associate, commencing October 1, 2005;

**X)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Carrier Enterprises Corp., Michael K. Harrison, commencing September 1, 2011;

**Y)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Challenger Management, commencing October 1, 2011;

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

9. MOTION/TITLE CONTINUED

- Z)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Two Two Seven MK, LLC, Raymond Mancuso, commencing September 1, 2011;
- AA)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Roger Moore (11720 No. 11), commencing September 1, 2010;
- BB)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Roger Moore (11720 No. 13), commencing September 1, 2010;
- CC)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Land, Sea, Air Unlimited, commencing November 1, 2011;
- DD)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and John Ingersoll, commencing July 1, 2011;
- EE)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Joseph P. Campbell, commencing April 1, 2011;
- FF)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Platinum Airways, Inc., commencing September 1, 2011;
- GG)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Joel A. Schneider, commencing November 1, 2010;
- HH)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Kevin Mahoney, commencing February 1, 2011;
- II)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Grey Aviation (Eli Caison), commencing February 1, 2011;
- JJ)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and David L. Wojtanowski, commencing December 1, 2010;
- KK)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and YB Dul, Inc., commencing September 7, 2011;
- LL)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and William Richards Swope, Jr., commencing April 1, 2011;
- MM)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Rodmark Aviation, LLC, commencing September 1, 2011;
- NN)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Aviation Systems & Programs II, Inc., commencing March 1, 2011;
- OO)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Joseph Masessa, commencing November 1, 2011;
- PP)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and Wyatt Bell "Landtech Data Corporation", commencing February 1, 2011; and
- QQ)** Consent to Sublease for Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation and P&S LLC, commencing May 1, 2011.

**SUMMARY:** Delegation of authority for execution of the standard County documents above was approved by the Board of County Commissioners in R1994-1453. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$22,500 for the full satisfaction of a Code Enforcement Lien that was entered against Marvin Parsoff on October 3, 2007. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an order on August 1, 2007 giving Marvin Parsoff until August 15, 2007 to cease the continued group assembly in the residential building or to obtain a new Certificate of Occupancy to use the building as a group assembly building. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$250 per day was imposed. The CESM then entered a claim of lien against Marvin Parsoff on October 3, 2007. The cited code violations were fully corrected as of May 6, 2008. The total accumulated lien amount through October 31, 2011, the last day of the month in which date settlement discussions resumed, totaled \$95,644.54 of which Marvin Parsoff has agreed to pay the County \$22,500 (23.52%) for full settlement of his outstanding Code Enforcement Lien. District 5 (PGE)
  
2. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$54,750 for the full satisfaction of a Code Enforcement Lien that was entered against West Boynton Auto Services, Inc. on August 2, 2006. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on April 5, 2006, giving West Boynton Auto Services, Inc. (WBAS) until May 5, 2006 to cease operating their Budget Rental Trucks business on the property without BCC approval. This accessory business was not indicated, or a part of the original BCC approved site plan for their property. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$500 per day was imposed. The CESM then entered a claim of lien against WBAS on August 2, 2006. The cited code violations were fully corrected as of December 13, 2006. The total accumulated lien amount through April 30, 2009, the date settlement discussions began, totaled \$164,260.17 of which WBAS has agreed to pay the County \$54,750 (33.33%) for full settlement of their outstanding Code Enforcement Lien. District 5 (PGE)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

**A)** Change Order No. 17 to Amendment No. 3 to the contract with Hedrick Brothers Construction (R2007-1506) decreasing the Guaranteed Maximum Price (GMP) by \$205,861.35 for Phase 1 of the Four Points Renovation project; and

**B)** Amendment No. 12 to the contract with Hedrick Brothers Construction (R2007-1506) in the amount of \$2,031,410 for construction services related to Phase 2 of the Four Points Renovation Project, the build out of a portion the first floor space specifically for Information System Services (ISS) Platform and Enterprise Services and Data Center.

**SUMMARY:** The renovation of the Phase 1 of Four Points Renovations is complete. Of the original \$10,696,433 GMP, there is \$205,861.35 remaining in the contingency due to unused contingency funds and project savings due to competitive subcontractor buyout. Change Order No. 17 reconciles the final project cost and will allow for the closeout of Amendment No. 3. Amendment No. 12 will provide build out of 11,748 square feet for relocating ISS Platform and Enterprise Services and Data Center from the Government Center. This move will provide a hardened location for the Data Center as the Four Points Office Building has been recently renovated to withstand 180 mph winds. Relocating the Data Center will secure the County's network services and provide redundant utilities and a higher level of backup power generation for this critical function. In addition, relocation of this ISS use will make the space available for the Tourist Development Council's (TDC) relocation to the Government Center and the subsequent expiration of TDC's lease of private space resulting in a reduction in recurring operations costs to TDC. The duration for this change will be 140 calendar days to substantial completion. Funding for this project is from the Public Building Improvement Fund including the use of the \$205,861.35 deducted from Amendment No. 3. The Small Business Enterprise (SBE) goal for this contract is 15%. Hedrick Brothers is providing 44% SBE participation in this change order. When added to the contract work to date, the resulting SBE participation is 30%. Hedrick Brothers Construction is a Palm Beach County firm and all but \$35,203 of the work will be done by Palm Beach County subcontractors. (Capital Improvements Division) District 2 (JM)

2. Staff recommends motion to approve: a First Amendment to the Interlocal Agreement (R2008-0052) with the Town of Palm Beach Shores (Town) to retroactively extend the term of the Interlocal Agreement to January 14, 2016.

**SUMMARY:** The Interlocal Agreement with the Town, which provides the terms and conditions under which the Town can directly access the County's 800 MHz Radio System expired on January 14, 2012. The Interlocal Agreement provides for two (2) renewal options, each for a period of four (4) years. Both parties must approve the renewal option. The Town has approved a renewal to extend the term of the Interlocal Agreement until January 14, 2016. The renewal now requires Board approval. The terms of the Interlocal Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. The annual fees are consistent with those being charged to the County departments. The Town is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause, on October 1<sup>st</sup> of any year, with a minimum of 6 months notice. This First Amendment: (i) renews the term; (ii) updates the notice provisions; (iii) updates Attachment 3; and (iv) provides for disclosure of the County Ordinance establishing the Office of the Inspector General. Other than the changes set forth herein all other terms and conditions remain the same. (ESS) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **Staff recommends motion to approve:** a Utility Easement Agreement in favor of the Florida Power & Light Company (FPL) for underground electrical services and pad mounted transformer within the County's DuBois Park in unincorporated Jupiter. **SUMMARY:** The County currently has overhead power lines servicing DuBois Park located west of the Jupiter Inlet in an unincorporated pocket northeast of the Town of Jupiter. A new water taxi shelter is being constructed within the park and will require electrical hook up. The Parks Department is taking this opportunity to bury the overhead power lines servicing an existing restroom and museum, in addition to the water taxi shelter. The easement area is approximately 1095 feet long, 10 feet wide, and contains 10,849 square feet (0.25 acre). This non-exclusive easement is being granted at no charge as it will benefit the Park facilities. (PREM) District 1 (HJF)

I. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** the creation of one (1) full-time position within the Department of Housing and Community Development (HCD), a Planner I (Pay Grade 29), which will be grant funded. **SUMMARY:** This full-time position will carry out entry level professional planning and administrative work in connection with the implementation of grant funded activities undertaken by HCD. The position will be funded from grant funds presently available or from any other funds that become available at a future time. The position will terminate upon the exhaustion of available funds. (Planning) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. [Staff recommends motion to receive and file:](#) four (4) Agreements and twenty (20) Amendments to Agreements as follows:

- A)** an Interlocal Cooperation Agreement with the City of South Bay in connection with the formulation of the Palm Beach County Community Development Block Grant (CDBG) Urban County jurisdiction;
- B)** Amendment No. 004 to an Agreement (R2010-0899) with Riviera Beach Housing Authority under the Neighborhood Stabilization Program (NSP1);
- C)** Amendment No. 003 to an Agreement (R2010-0900) with Housing Partnership, Inc. under NSP1;
- D)** Amendment No. 004 to an Agreement (R2010-0902) with Florida Conference Association of Seventh-Day Adventists under NSP1;
- E)** Amendment No. 003 to an Agreement (R2010-0903) with Community Land Trust of Palm Beach County, Inc. under NSP1;
- F)** Amendment No. 004 to an Agreement (R2010-1036) with the Village of Wellington under NSP1;
- G)** A Loan Agreement with Colonial Lakes Apartments, Ltd. under the Neighborhood Stabilization Program 2 (NSP2);
- H)** Amendment No. 001 to the Loan Agreement with Colonial Lakes Apartments, Ltd. under NSP2;
- I)** Amendment No. 002 to the Loan Agreement with Colonial Lakes Apartments, Ltd. under NSP2;
- J)** a Subordination and Intercreditor Agreement with Citibank, N.A. (Citibank) in connection with the Colonial Lakes Apartments, Ltd. project under NSP2;
- K)** Amendment No. 001 to an Agreement (R2011-1029) with Neighborhood Renaissance, Inc. under NSP2;
- L)** Amendment No. 001 to an Agreement (R2011-1030) with Community Land Trust of Palm Beach County, Inc. under NSP2;
- M)** Amendment No. 001 to an Agreement (R2011-1031) with Westgate/Belvedere Homes Community Redevelopment Agency under NSP2;
- N)** an Agreement with the Housing Authority of the City of Belle Glade under the 2005 Disaster Recovery Initiative – Supplemental Appropriation (DRI3);
- O)** Amendment No. 002 to an Agreement (R2011-0615) with West Palm Beach Housing Authority (Colony Oaks and Twin Lakes Project) under DRI3;
- P)** Amendment No. 001 to an Agreement (R2011-0616) with Boca Raton Housing Authority (Banyan Place Project) under DRI3;
- Q)** Amendment No. 001 to an Agreement (R2011-0617) with In the Pines, Inc. under DRI3;
- R)** Amendment No. 001 to an Agreement (R2011-1618) with Boca Raton Housing Authority (Boca Island East and Dixie Manor Projects) under DRI3;
- S)** Amendment No. 001 to an Agreement (R2011-0619) with West Palm Beach Housing Authority (Robinson Villas Project) under DRI3;
- T)** Amendment No. 001 to an Agreement (R2011-0621) with Neighborhood Renaissance, Inc. under DRI3;
- U)** Amendment No. 001 to an Agreement (R2011-0622) with Palm Beach County Housing Authority (Marshall Heights Project) under DRI3;
- V)** Amendment No. 001 to an Agreement (R2011-0623) with Palm Beach County Housing Authority (Scattered Sites Project) under DRI3;
- W)** Amendment No. 001 to an Agreement (R2011-0624) with Palm Beach County Housing Authority (Schall Landing and Seminole Manor Project) under DRI3; and
- X)** Amendment No. 001 to an Agreement (R2011-0625) with the City of Delray Beach under DRI3.

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. SUMMARY CONTINUED

**SUMMARY:** In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The above Agreements and Amendments have been fully executed on behalf of the Board of County Commissioners (Board) by the Chair of the Board and by the County Administrator, or designee, in accord with Agenda Items R2001-340, R2007-1524, R2009-1122 and R2011-1384 approved by the Board on February 27, 2001, September 11, 2007, July 7, 2009, and September 13, 2011, respectively. These Agreements and Amendments are now being submitted to the Board to receive and file. **These are Federal CDBG, NSP1, NSP2, and DRI3 funds which require no local match.** (Contract Development) District 2 (TKF)

3. Staff recommends motion to approve: the following two (2) Community Development Block Grant Agreements:

**A)** an Agreement with the Town of Lake Park in the amount of \$52,200 for the period of January 24, 2012, to July 31, 2013; and

**B)** an Agreement with the City of Greenacres in the amount of \$90,830 for the period of January 24, 2012, to December 15, 2013.

**SUMMARY:** Community Development Block Grant (CDBG) funds will be used for these two (2) projects. The project in the Town of Lake Park includes median and irrigation improvements on Flagler Boulevard between Palmetto Drive and West Jasmine Drive. The project in the City of Greenacres includes a sanitary sewer main and associated improvements on 10<sup>th</sup> Avenue from Walker Avenue to Jackson Avenue and on Jackson Avenue 300 feet north and south of 10<sup>th</sup> Avenue. **These are Federal CDBG funds which require no local match.** (Contract Development) Districts 1 & 2 (TKF)

K. WATER UTILITIES

1. Staff recommends motion to receive and file: an executed Indemnification Agreement with API Cameron Park, LLC, a Delaware Limited Liability Company received during the month of October 2011. **SUMMARY:** In accordance with County PPM CW-0-051, all delegated contracts/agreements/ grants/procurement items must be submitted by the initiating Department as a receive and file agenda item. The above Indemnity Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Deputy Director of the Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and is now being submitted to the Board to receive and file. (WUD No. 11-542) District 5 (MJ)

2. Staff recommends motion to approve: a Wastewater Development Agreement (Agreement) with John Jarvis & Son, LLC. **SUMMARY:** John Jarvis & Son, LLC owns property located on 179 North Jog Road (NW corner of Jog Road and SR 80). In order to provide Wastewater concurrency reservations for new developments, the Department of Water Utilities (Department) requires property owner to enter into a formal development agreement with the Department. While the Department Director has been delegated the authority to enter into Standard Development Agreement (SDA's), Board of County Commissioners approval is being sought in this case due to a Special Condition added to the Agreement. The condition requires John Jarvis & Son, LLC to perform certain Department required utility work prior to Sewer service activation, at no cost to the Department. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve:

A) Amendment No. 1 to the unit price Contract with AKA Services, Inc.; and

B) Amendment No. 1 to the unit price Contract with Johnson-Davis, Inc. for the Water Utilities Department Pipeline Continuing Construction Contract to install raw water, potable water, reclaimed water, and wastewater pipelines, wastewater manholes, and water service lines, renewing the Contract for a 12 month period.

**SUMMARY:** On September 14, 2010, the Board of County Commissioners approved the Water Utilities Department Pipeline Continuing Construction Contract (R2010-1422) to AKA Services, Inc. in the amount of \$6,902,903.50 and Pipeline Continuing Construction Contract (R2010-1423) to Johnson-Davis, Inc. in the amount of \$7,211,660. Amendment No. 1 is for a 12 month contract renewal of the base Contract only. The Contract by itself does not guarantee, nor authorize AKA Services, Inc. and/or Johnson-Davis, Inc. to perform any work. There shall be no unit price increases for labor and materials contained in these Contracts for the duration of the 12 month renewal period. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with AKA Services, Inc. provides for SBE participation of 16.11% overall and the contract with Johnson-Davis, Inc. provides for SBE participation of 15.09% overall. Both AKA Services, Inc. and Johnson-Davis, Inc. are Palm Beach County companies. (WUD Project No. 10-046) Districts 1, 2, 3, 5 & 6 (JM)

4. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida revising the Water Utilities Department's Uniform Policies and Procedures Manual (UPAP). **SUMMARY:** The UPAP is a codification of the Department's fees, standards, legal documents, policies and procedures which govern the provision of potable water, reclaimed water, and wastewater services. The Department updates the UPAP from time to time to insure compliance with recently enacted laws and ordinances, and to insure that it continues to enable effective and efficient delivery of utility services. This proposed revision contains no major policy changes. Changes are made to bring the UPAP into compliance with the previously passed Tampering Ordinance (R2010-014), the Annual Index Rate Ordinance (R2007-003), the Pretreatment Program Ordinance (R2011-030), and the Special Assessments and Deferred Payment Plans Policy (R2010-2145). Other revisions respond to changes in various Federal regulations. Also included are minor changes to the Department's Design and Construction Standards as well as various minor changes and clarifications to existing customer service policies. A Summary of Proposed Changes to UPAP is shown in Attachment 3 of the Agenda Item. The Water Utilities Advisory Board reviewed and unanimously approved the changes to the UPAP at their December 2, 2011 meeting. (Finance and Administration) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. **Staff recommends motion to approve:** Supplement No. 1 to Work Authorization No. 5 (R2011-0926) with Johnson-Davis, Inc., Continuing Construction Contract (R2010-1423) for the South County Water Service Replacement Project – Phase I, increasing the contract time by 180 days. **SUMMARY:** On September 14, 2010, the Palm Beach County Board of County Commissioners approved the Contract with Johnson-Davis, Inc. (R2010-1423) for the Continuing Construction Contract. This Supplement increases the contract time by 180 days to allow for project completion within 300 days. The project time line for Work Authorization No. 5 was established at 120 days, due to a scrivener's error. There is no increase in cost related to this supplement. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The contract with Johnson-Davis, Inc. provides for SBE participation of 15.05% overall. This Authorization includes zero overall SBE participation. The cumulative SBE participation, including this Authorization is 15.84% overall. Johnson-Davis, Inc. is a Palm Beach County company. (WUD Project No. 06-175) District 5 (JM)
  
6. **Staff recommends motion to approve:** Partial Release of Utility Easement on land owned by Boca Raton Commerce Center II, LLC. **SUMMARY:** This document will release the County's interest in a portion of a utility easement granted through the document recorded in the Official Records of Palm Beach County in Book 2053, Page 773 on land owned by Boca Raton Commerce Center II, LLC. The Water Utilities Department has determined that a portion of the easement is no longer needed, and therefore recommends the release. District 5 (MJ)
  
7. **Staff recommends motion to approve:** Grant of Utility Easement from Palm Beach County School Board (School Board). **SUMMARY:** County and the Village of Palm Springs intend to install an Emergency Potable Water Service Interconnect on School Board property located on Forest Hill Blvd, west of Congress Avenue. A Utility Easement is required to install and maintain the proposed interconnect facilities. This Easement will grant to the County all necessary rights to design, construct and maintain utility facilities within the easement property. Palm Beach County Water Utilities Department Director has been delegated the authority to accept utility easement grants as provided in the Department's Uniform Policies and Procedures. Board acceptance is being sought in this case due to added provisions and restrictions required by the School Board. The Department agrees to the restrictive language of the easement. (WUD Project No. 11-146) District 5 (MJ)
  
8. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 5 to MWH Americas, Inc. for new Production Wells at Water Treatment Plants No. 2, 3, and 8 in the amount of \$497,928. **SUMMARY:** On May 3, 2011, the Palm Beach County Board of County Commissioners approved the continuing Contract for Utility Hydrogeologic & Water Resources Engineering Services with MWH Americas, Inc. (R2011-0632). This CSA will provide for engineering and hydrogeological services to design and permit two (2) new wells at Treatment Plants No. 2 and 3, and four (4) new wells at Treatment Plant No. 8. These wells are needed to ensure system reliability by spreading pumping out during dry periods, no new water allocation is required. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with MWH Americas, Inc. provides for SBE participation of 26% overall. This authorization includes 47.99% overall participation. The cumulative SBE participation, including this CSA is 34.09% overall. MWH Americas, Inc. is a Palm Beach County company. (WUD Project No. 12-006) Districts 2 & 5 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

9. Staff recommends motion to approve:

**A)** a Contract for Water, Wastewater, and Reclaimed Water Improvements Design/Build Services with Globaltech, Inc. and

**B)** a Contract for Water, Wastewater, and Reclaimed Water Improvements Design/Build Services with Calvin, Giordano & Associates, Inc.

**SUMMARY:** These two (2) Contracts will improve the County's water, wastewater, and reclaimed water treatment facilities by providing design/build services for optimization, energy efficiency, continuing compliance with regulatory requirements, safety, security, alternative water supply, and replacement or repair of critical components. The engineering/professional and design/build/construction services will typically be for projects less than \$1,000,000 of construction value. Consultant Services Authorizations and Work Authorizations will be negotiated and issued in accordance with the standard County procedures outlined in Countywide PPM CW-F-050. Each Contract has a term of three (3) years subject to two (2) annual performance reviews. Globaltech, Inc. has agreed to meet or exceed a 75% Small Business Enterprise (SBE) participation goal. Calvin, Giordano & Associates, Inc. has agreed to meet or exceed a 26% SBE goal. Globaltech is a Palm Beach County and Certified SBE Company. Calvin, Giordano & Associates, Inc. is a Palm Beach County Company. (WUD Project No. 11-134) Countywide (JM)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

**A) approve** Grant Agreement No. 11227 with the Florida Fish and Wildlife Conservation Commission (FWC) that provides \$21,432 for monitoring twenty-nine (29) reefs, including thirteen (13) artificial reefs built using construction grants from FWC;

**B) approve** Budget Amendment of \$21,432 in the Environmental Enhancement Saltwater Fund (1224) to recognize the revenue;

**C) authorize** the County Administrator, or his designee, to sign all future time extensions, task assignments, certifications and other forms associated with this agreement and necessary minor amendments that do not change the scope of work or terms and conditions of the agreement;

**SUMMARY:** The FWC Grant Agreement will reimburse the County \$21,432 for monitoring activities associated with 29 reefs. The majority of the work will be performed by the volunteer Palm Beach County Reef Research Team (RRT). The expiration date of the Grant Agreement is April 30, 2014, and the legal venue for any action is Leon County. No matching funds are required. Districts 1, 4 & 7 (SF)

2. **DELETED**

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to approve: Task Order 1296-06 to a continuing Contract (R2010-1296) with Applied Technology and Management, Inc. (ATM) in the amount of \$234,738.74 for design and permitting work needed to support construction of the 2012 South Lake Worth Inlet Sand Trap Expansion and Maintenance Dredging Project (Project). **SUMMARY:** The Board of County Commissioners approved the Contract with ATM, a Palm Beach County company, on August 17, 2010 (R2010-1296). Task Order 1296-06 authorizes ATM to utilize recent bathymetric, sub-bottom, and seagrass surveys to design and permit the proposed Project and to calculate seagrass impacts and mitigation requirements for submittal to the Florida Department of Environmental Protection (FDEP). FDEP Grant Agreement 11PB1 (R2011-0930) recognizes the importance of maintaining the downdrift beaches and mitigating for inlet effects and provides for 75% cost-share of the non-Federal Project costs. Additional funding assistance may be provided through interlocal agreements with the City of Boynton Beach and the Florida Inland Navigation District (FIND). The County's share of this Task Order is funded by tourist development taxes and FDEP funding. There is 8.9% Woman Business Enterprise (WBE) and 3.2% Small Business Enterprise (SBE) sub-consultant participation on the Task Order. ATM committed to an overall 15% SBE-M/WBE participation in the Contract. ATM has achieved 40.8% cumulative SBE-M/WBE participation on the Contract including this Task Order. District 4 (JM)

4. Staff recommends motion to:

**A) approve** a Grant Agreement (Agreement) with Florida Communities Trust (FCT) that specifies the requirements which must be met in order for the County to receive Florida Forever Revenue Bond proceeds for a portion of its Cypress Creek Natural Area. The grant award amount will be the lower of 36.32% of the total approved project costs or \$5,000,000; and

**B) authorize** the County Administrator, or his designee, to execute all documents in connection with this grant on behalf of the County, provided such documents do not change the scope of work or terms and conditions of the Agreement.

**SUMMARY:** The Cypress Creek Natural Area Phase V property (R2007-1589) was purchased jointly with the Solid Waste Authority (SWA) in 2008 as part of the County's Conservation Lands Acquisition Program. The County became sole owner of the property in 2009 when SWA conveyed its 28% ownership interest to the County. Approval of this Agreement is the first step to receive funds from the Florida Forever Grant Program. The Agreement requires the County to submit to an audit; to manage the site solely for the conservation, protection and enhancement of the existing natural and historic resources; and to develop a Project Plan that identifies the proposed public use facilities, management activities, and the permitted passive recreational activities. Approval of the Project Plan by FCT is required before funds will be disbursed. Following Project Plan approval the County will be required to execute a Declaration of Restrictive Covenants (DRC), which identifies the remaining contractual obligations, and a Grant Award Calculation (Calculation) which identifies the amount of grant dollars. Due to the standard nature of the grant requirements and short turn-around allotted for DRC and Calculation processing, authorization is requested for the County Administrator, or his designee, to execute all future documents associated with this grant. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to:

**A) approve** Change Order No. 5 with The Murphy Construction Company in the amount of \$78,076.90 and a time extension of 48 days for additional work on the Dubois Park Redevelopment, Project No. 2009ERM10; and

**B) adopt** Resolution for the Clerk of the Board to disburse \$125,000 from the Vessel Registration Fee Trust Fund for the Dubois Reef Restoration Project; and

**C) approve** Budget Transfer of \$125,000 from reserves in the Environmental Enhancement Saltwater Fund (1224) to fund the Dubois Reef Restoration Project.

**SUMMARY:** The Board of County Commissioners (BCC) approved the Dubois Park Redevelopment Project No, 2009ERM10 on July 20, 2010. Change Order No. 5 will bring the cumulative contract amount to \$2,566,548.73 and will increase the contract time to 512 days. This Change Order will authorize required electrical work at the Dubois Pioneer Home Museum and the installation of additional rock along the Park's artificial reef in order to increase the structure's elevation. Change Order No. 5 reduces the total amount of Task 3.01 (Demolition & Miscellaneous Earthwork) for site restoration work not completed by the contractor. The Small Business Enterprise (SBE) participation of 17.34% as set forth in the Contract will be reduced to 16.48%. This Change Order requires BCC approval due to the fact that the net monetary increase, when combined with the value of the time extension in liquidated damages, exceeds the threshold established in PPM CW-O-050. The contract is funded from a combination of local, State and Federal grants, boater access bond funds and vessel registration fees, all non-ad valorem sources. The approval of the Budget Transfer will provide \$125,000 to cover the cost of the reef construction work order and other ancillary costs. District 1 (JM)

M. PARKS & RECREATION

1. Staff recommends motion to approve: Interlocal Agreement with South Florida Science Museum, Inc. (SFSM) and the City of West Palm Beach for the period January 24, 2012, through July 23, 2014, in an amount not-to-exceed \$2,400,000 for the funding of South Florida Science Museum improvements. **SUMMARY:** This revised Interlocal Agreement supersedes and replaces Agreement R2010-1337 for funding of construction of improvements to the South Florida Science Museum – Phase I as approved by the Board on August 17, 2010. This revised Agreement modifies the project scope to be more in line with current funding available to SFSM. Although the scope and amount of matching funding has been reduced, the proposed project still provides new and improved facilities will continue to serve Palm Beach County residents. The County Funding Contribution is unchanged at \$2,400,000. Budget has previously been established for this project with funding from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum. District 2 (PK)

2. Staff recommends motion to approve: First Amendment to Contract (R2010-2016) with Gordon Andrews for the period February 1, 2012, through January 31, 2013, in an amount not-to-exceed \$106,500 per year for USA Swimming and U.S. Masters Swimming coaching services at the Lake Lytal Family Aquatic Center. **SUMMARY:** For the past 15 years, Gordon Andrews has been the USA Swimming coach at Lake Lytal Family Aquatic Center. He has been the U.S. Masters Swimming coach for the past year. The current Professional Services Contract will expire on January 31, 2012; however, there are two (2) – one (1) year renewal options available under this contract. This Amendment exercises one renewal option with Gordon Andrews through January 31, 2013, with one (1) – one (1) year renewal option remaining, in an amount not-to-exceed \$106,500 per year. This amount is unchanged from the current year rate. This contractor utilizes six (6) additional coaches in providing this service. District 2 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to adopt: a Resolution amending Resolution R94-422 as amended by Resolution R2002-2103 and Resolution R2007-0409, approving a revised standard Independent Contractor Agreement form and delegating authority to the County Administrator, Director and Assistant Director of the Parks and Recreation Department to execute amendments to the standard Independent Contractor Agreement form. **SUMMARY:** This Resolution amends R94-422, as amended by R2002-2103 and R2007-0409 by revising the standard Independent Contractor Agreement form and delegating authority to the County Administrator, Director and Assistant Director of the Parks and Recreation Department to execute amendments to the standard Independent Contractor Agreement form. The standard Independent Contractor Agreement form needs to be revised to make minor administrative changes and incorporate required language specific to the Inspector General. In addition, the revision delegates authority to execute amendments to the agreement form which will streamline the process for as many as 100 Independent Contractor Agreements annually. Countywide (AH)
  
4. Staff recommends motion to approve: modification of project scope for the West Delray/Boynton District Park capital project to include additional infrastructure improvements. **SUMMARY:** The previously approved project scope for this capital project request was limited to field lighting due to availability of funding. Additional project elements including overflow parking, ADA sidewalks, landscaping, irrigation, fencing and other related items were to be budgeted in future years. Unanticipated funding from the Energy Efficiency and Conservation Block Grant was used for the lighting project, and now funding is available to complete these additional project elements in this budget year. No additional funding is needed for this project expansion and it is anticipated that the additional project elements will be accomplished through annual contracts. There is currently \$125,948 available in this project budget to cover project expenditures. District 5 (AH)
  
5. Staff recommends motion to approve: modification of project scope for the South Bay RV Park and Recreation Center capital project to include additional improvements including the adjoining County operated boat ramps. **SUMMARY:** The previously approved project scope for this capital project did not include the adjoining boat ramps that were not under County control at the time budget was established for this project. The South Bay RV Park and Recreation Center project is substantially complete; however, additional improvements need to be completed at the RV Park and boat ramp locations. The additional project elements at the boat ramp area include boat ramp upgrades, picnic table shade covers, signage, ADA pathway from the top of the levee, landscaping, previously completed soil and pile testing, and other related infrastructure items. A new automated gate system will also be added to the RV Park. No additional funding is needed for this project expansion and it is anticipated that the additional project elements will be accomplished through annual contracts. Project elements are estimated to cost \$200,000 and there is adequate funding remaining in the project budget. District 6 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve:

**A)** an Agreement with the Florida Department of Agriculture and Consumer Services (FDACS) for funding of a part-time program assistant;

**B)** a new part-time program assistant to conduct an urban forestry program in Palm Beach County for 25 hours per week for one (1) year;

**C)** a Budget Amendment of \$15,000 in the Cooperative Extension Revenue Fund to recognize new funding. The term of this Agreement shall begin on the date of execution and shall terminate on January 31, 2013.

**SUMMARY:** The Florida Department of Agriculture and Consumer Services (FDACS) will provide funding to Palm Beach County (County) to support a part-time program assistant to conduct the Urban Forestry Program in Palm Beach County in amount not to exceed \$15,000. County will provide an in-kind match of \$15,075 for 300 volunteer hours and 638 hours of professional and staff support from ad valorem funding. The program assistant will develop reusable learning objects (RLOs) for professional and residential audiences, develop presentations, train volunteers and master gardeners in Palm Beach County, as well as adjacent counties, and develop partnerships and relationships throughout the state to publicize the RLOs and delivered presentations and make them available at no cost. The program assistant is a partially grant funded position and will be eliminated when the grant term has expired. The funding shall consist of \$13,276 for salary plus \$1,724 for fringe benefits. District 6 (AH)

2. Staff recommends motion to ratify: the Chair's signature on the Champions for Healthy Kids Legacy Awards Grant Memorandum with General Mills in an amount not to exceed \$50,000 from the period of July 1, 2012, through July 31, 2013. **SUMMARY:** The Cooperative Extension Service has submitted an electronic grant application to General Mills entitled Champions for Healthy Kids Legacy Awards for the purpose of improving nutrition and fitness of youth in Palmetto Elementary School which is a Title I school. The emergency signature process was used because there was not sufficient time to submit through the regular Board of County Commissioners process. If the grant is received, it will provide for one (1) program assistant position and supplies. Countywide (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

**A) receive and file** the Adult Drug Court Discretionary Grant Program FY 2011 Competitive Grant Award from the Department of Justice (DOJ) for \$200,000 for the period October 1, 2011, through September 30, 2013 to be used to facilitate the development of a specialized drug treatment for prescription drugs;

**B) authorize** the County Administrator or his designee to execute all related documents for Palm Beach County's FY 2011 Adult Drug Court Discretionary Grant Program, and all necessary forms and documents as required by the U.S. Department of Justice, Bureau of Justice Assistance; and

**C) approve** a Budget Amendment of \$200,000 in the Justice Services Grant Fund to establish funding for this grant project.

**SUMMARY:** Palm Beach County applied for a grant award of \$200,000 from the Department of Justice to facilitate the expansion and enhancement of Palm Beach County's Adult Drug Court. Using the prescription drug epidemic and subsequent reaction by state and local law enforcement, the existing Drug Court will use new therapies and enhanced training to reduce the number of adult drug offenders in our county. The grant was released on April 26, 2011 and the submission date was June 9, 2011. This application is now funded and approved and begins on October 1, 2011. Over the past five (5) years, the rise in prescription pill addiction has continued to climb. The grant calls for the use of an evidence based design to address the expansion, enhancement of court operations, and to enhance offender services. The grant requires a non-federal in-kind match of 25% during the two (2) year project period. Specifically, the in-kind match requirement for the project is \$66,703. This match has been identified through the Criminal Justice Commission and its partners in Drug Court through current staff salaries. The delay in processing was caused in part by the U.S. Justice Department approving parts of the grant and not the complete document, then allowing Palm Beach County to modify the budget. This budget modification further delayed the approval by the Department of Justice. Countywide (GB)

2. Staff recommends motion to approve: a Grant Adjustment Notice from the Florida Department of Law Enforcement to reinstate the Weed & Seed Grant, which closed on March 31, 2011. It was brought to our attention that outstanding invoices would leave two (2) trusted non-profits unpaid. FDLE has agreed to reinstate the grant and extend the expiration until January 31, 2012 so that payment can be authorized. This grant was with the City of West Palm Beach, Resolution (R2010-1303). **SUMMARY:** The Interlocal agreement for this award was the 5<sup>th</sup> Amendment which expired on March 31, 2011 (R2010-1203). The amount of the original award was \$98,900 (October 1, 2010, through March 31, 2011). The entire grant amount was not expended allowing for the reinstatement. The Edward Byrne Memorial Justice Assistance Grant (JAG) provides a continuation of "seeding" services to extend an existing agreement with the City of West Palm Beach for Weed and Seed. The grant application was executed by the Board of County Commissioners on August 18, 2009 as Resolution (R2009-1314). The Salvation Army and Gulfstream Goodwill both provided authorized services as subcontractors during the contract period. The amount for the services erroneously excluded is \$4,802. Staff worked with multiple agencies to ascertain the situation and devise a solution. The approval to request a reinstatement and extend the expiration date from FDLE occurred on December 14, 2011. District 7 (GB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to:

**A) ratify** the appointment of the Fire Rescue Administrator as an Authorized Official to enroll the County (Fire Rescue) in the Medicare program as an ambulance service provider, to make changes or updates to the County's status in the Medicare program, and to commit the County to fully abide by the statutes, regulations, and program instructions of the Medicare program, including the authority to sign and submit any Medicare applications, contracts, certifications, attestations, and other related documents on the County's behalf; and

**B) authorize** the reimbursement of the Medicare Enrollment Application Fee in the amount of five-hundred five dollars (\$505) to ADPI/Intermedix.

**SUMMARY:** In accordance with recent federal law, Medicare providers are being required to complete a Medicare Enrollment Application to revalidate their enrollment information under new screening criteria. This allows the County to continue to submit fire rescue emergency transport claims directly to Medicare and binds the County to the Medicare program laws and regulations. The enrollment package requires the County to directly appoint an Authorized Official to enroll the County (Fire Rescue) in the Medicare program, to make changes or updates to the County's status in the Medicare program, and to commit the County to fully abide by the statutes, regulations, and program instructions of the Medicare program. Due to a stringent deadline and late notice to the County, the Fire Rescue Administrator signed the necessary documentation, and the County's third party billing agent, ADPI/Intermedix, processed submittal of the application and the required application fee on the County's behalf. Countywide (SGB)

2. Staff recommends motion to receive and file: four (4) original standard agreements for the Fire Rescue Department:

**A)** Independent Contractor Agreement for Swimming Lessons with the Young Men's Christian Association of the Palm Beaches, Inc.; and

**B)** Interlocal Agreement for Swimming Lessons with the City of Delray Beach; and

**C)** Interlocal Agreement for Swimming Lessons with the City of Boynton Beach; and

**D)** Interlocal Agreement for Swimming Lessons with the City of West Palm Beach.

**SUMMARY:** On September 27, 2005, the Board adopted Resolution Number R2005-1906 authorizing the County Administrator, or his designee (the Fire Rescue Administrator) to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. Pursuant to Countywide PPM CW-O-051, four (4) standard County agreements that have been executed by the County Administrator, or his designee (the Fire Rescue Administrator) are being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (PK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. **Staff recommends motion to approve:** Amendment No. 7 to the Technical Currency Program (TCP) Agreement with SCT Government systems (SCT) (R2003-1017), now doing business as ACS Government Systems, Inc. (ACS), to extend the software maintenance coverage for all component modules of the ACS Banner Courts system except the Jury Management Module, at an annual fee of \$348,388 for the period of October 1, 2011, through September 30, 2012. ACS was purchased by the Xerox Corporation in 2010. **SUMMARY:** The TCP License Agreement was initially entered into by Palm Beach County and SCT (now ACS) on September 29, 1998 (R-1998-1540 & 1541), for annual maintenance of the ACS Justice Information System (JIS) which includes modules for Civil, Juvenile, Criminal, and Traffic Courts, and Jury Management. The TCP Agreement provides for software maintenance coverage and establishes the amount of the annual payments to ACS. After the Clerk & Comptroller's new case management system is implemented, annual software maintenance cost will decrease to \$4,885 for the Jury Management module, the only ACS software product which will remain in use by the Clerk & Comptroller. Jury Management software maintenance will be extended under a separate contract amendment. ACS Government Systems, Inc. is based in Lexington, KY. Countywide (PFK)
  
2. **Staff recommends motion to approve:** a revised rate structure applicable to network services provided by Palm Beach County to external organizations. **SUMMARY:** Numerous local government, educational, and non-profit organizations receive network services provided by the County through the Information Systems Services (ISS) Department. ISS is proposing a variable rate structure for network services provided to external agencies, which will replace the existing, "point of contact" flat rate structure for all future agreements. The revised rate structure takes into account the bandwidth requirements of each customer with rates established based on ranges of capacity usage. This standardized rate structure was developed using an analysis of market pricing for similar services and will be applicable to all future agreements for network service provided to external organizations. This program supports the concept of collaboration among public sector agencies and results in service improvements for the connected agencies, and cost savings to the taxpayers as well as numerous other intangible benefits. Countywide (PFK)
  
3. **Staff recommends motion to receive and file:** Exercise of Renewal Option Form for Software License and Professional Services Agreement (R2011-0547) with the Government of the United States Virgin Islands and Palm Beach County for the one (1) year period October 1, 2011, to September 30, 2012, at an estimated revenue of \$166,400. **SUMMARY:** Information Systems Services (ISS) developed and currently hosts a Business License Web Application for the Government of the U. S. Virgin Islands. ISS also hosts 30 email accounts used by employees of the U.S. Virgin Islands. For these services, the U.S. Virgin Islands pays to the County a software lease fee of \$1,650 per month, an application hosting fee of \$3,850 per month, and an email account hosting fee of \$80 per account per year. The Exercise of Renewal Option Form provides for a one (1) year renewal period retroactive from October 1, 2011, to September 30, 2012. Authority was delegated to the ISS Director by the County Administrator to approve and execute future Agreements and Change Orders up to maximum total revenue of \$200,000. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

4. **Staff recommends motion to approve:** the First Amendment to the Agreement (R2010-1931) with The Children's Services Council of Palm Beach County (CSCPBC), for additional Server Hosting Services for Production and Disaster Recovery which will generate FY 2012 revenue to the County estimated at \$33,401. **SUMMARY:** The CSCPBC is a special taxing district for the State of Florida which has an existing agreement with Palm Beach County for County-provided server hosting services for their production and disaster recovery environments. The CSCPBC wishes to amend this agreement to include an additional server and data storage to their current production environment hosted by Palm Beach County and implement a disaster recovery environment at the Northwest Regional Data Center as noted in this Amendment. The FY 2012 revenue of \$33,401 includes \$1,200 in pass-through costs as well as a one-time \$1,250 fee for set up. District 3 (PFK)

X. PUBLIC SAFETY

1. **DELETED**
2. **Staff recommends motion to approve:** a Contract with Byron V. Reid, D.V.M. for on-call veterinary services for large animals in an amount not to exceed \$10,000 for the period January 24, 2012, through January 23, 2013. This contract may be renewed by written mutual agreement of the parties for up to four (4) additional years for the same terms and conditions. **SUMMARY:** The Animal Care and Control Division is required to provide appropriate and necessary veterinary services for sheltered animals. This contract will provide part-time, relief and emergency "on-call" professional medical services for sheltered animals on an as needed basis. Countywide (SF)
3. **Staff recommends motion to receive and file:** the following executed amendments to the Memorandums of Agreements (MOA) with the City of Miramar, a municipal corporation of the State of Florida, as a fiscal agent for the Fort Lauderdale Urban Area Security Initiative (UASI) to extend the following agreements from August 31, 2011, to December 30, 2011:

A) UASI 2008 Jurisdictional Agreement; and

B) UASI 2008 Citizen Corp Agreement.

**SUMMARY:** The County was awarded \$556,337 from the US Department of Homeland Security Urban Area Security Initiative (UASI) Grant through the City of Miramar. These funds will be used to address planning, equipment, training, and exercise needs of the County to prevent, protect against, respond to, and recover from acts of terrorism. The funds will also be used to enhance the Citizen Corps program which is a strategy to bring together government and community leaders to involve citizens in all-hazards emergency preparedness/resilience. Requests to extend the grants from August 31, 2011, to December 30, 2011 have been approved. Resolution R2006-2669 authorizes the County Administrator or his designee to execute standard UASI agreements with various governmental and private agencies on behalf of the Board of County Commissioners. No County matching funds are required. Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to:

**A) receive and file** the executed Hazardous Materials Contingency Planning and Grant Agreement with the State of Florida, Division of Emergency Management, in the amount of \$26,423 for the period of October 21, 2011, through June 30, 2012; and

**B) approve** a Budget Amendment of \$2,747 in the Emergency Management Grant Fund to reflect the actual grant award.

**SUMMARY:** This is an annual grant from the State of Florida Division of Emergency Management to conduct on-site visits and hazardous materials analyses at facilities within Palm Beach County known to have extremely hazardous substances designated by the U.S. Environmental Protection Agency. These assessments are required for compliance with the Emergency Planning and Community Right-To-Know Act (EPCRA), also known as the Superfund Amendments and Reauthorization Act (SARA). Resolution R2006-0401 gave authority to the County Administrator, or his designee, to execute this agreement on behalf of the Board of County Commissioners. No County matching funds are required. Countywide (GB)

5. Staff recommends motion to:

**A) approve** acceptance of the Department of Justice, Office on Violence Against Women (OVW), Fiscal Year 2011 Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (No. 2011-WE-AX-0027) in the amount of \$906,949 for the period of October 1, 2011, through September 30, 2013;

**B) authorize** the County Administrator or his designee to execute contracts and amendments utilizing funding from the Department of Justice, Office on Violence Against Women on behalf of the Board of County Commissioners;

**C) approve** a Budget Amendment of \$906,949 in the OVW FY 2011 Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program Fund to recognize funding from the Department of Justice, Office on Violence Against Women;

**D) approve** a Budget Transfer of \$103,706 in the General Fund to adjust for the OVW Grant's indirect costs and increase reserves-balances forward; and

**E) approve** the addition of two (2) Victim Advocate positions (Pay Grade 25), one (1) Therapist position (Pay Grade 32), one (1) Secretary position (Pay Grade 16), and one (1) Grant Coordinator position (Pay Grade 30) to the Victim Services Division complement which are 100% grant funded.

**SUMMARY:** Palm Beach County Victim Services and Rape Crisis Center, in conjunction with the Office of the State Attorney, Aid to Victims of Domestic Abuse (AVDA) and Palm Beach County Sheriff's Office, received this grant award to assist in holding offenders accountable for their criminal behavior by centralizing and coordinating dedicated teams comprised of law enforcement, prosecutors, advocates and medical providers to respond to crimes of sexual assault, domestic violence, dating violence and stalking. Additionally, these partner agencies, will lead the community in developing and implementing policies and training for police, prosecutors, advocates and medical providers. A centralized and collaborative process, with teams of dedicated staff will improve crisis responses, investigations, evidence collection, and medical care for victims and ultimately, lead to more arrests and enhanced prosecutions. **The grant funded positions will be approved for the length of the grant and will be eliminated when the funding is discontinued. No County matching funds are required for this grant.** Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

6. Staff recommends motion to:

**A) receive and file** the executed Grant Agreement with the City of Miramar, a municipal corporation of the State of Florida, as a fiscal agent for the Ft. Lauderdale Urban Area Security Initiative (UASI) to receive 2010 UASI grant funding in the amount of \$433,038 to fund fire, health, emergency management and other approved anti-terrorism activities for the period of October 31, 2011, through April 30, 2013; and

**B) approve** a Budget Amendment of \$433,038 in the Urban Areas Security Initiative Grant Fund to recognize the grant award.

**SUMMARY:** This agreement provides a means of funding various domestic security activities within the County using federal Urban Area Security Initiatives (UASI) funds through the City of Miramar as the Fort Lauderdale UASI's fiscal agent. The UASI awarded \$433,038 to the County, which will be used to fund fire, health, emergency management and other approved anti-terrorism activities. The Sheriff's Office received an equivalent amount of \$433,038 to fund direct law enforcement activities. The total awarded to Palm Beach County by the UASI (\$866,076) represents 14.7% of the Fort Lauderdale UASI grant of \$5,885,153. Future funding will be based on a competitive need process. Resolution 2006-2669 authorizes the County Administrator or his designee to execute UASI grant agreements and sub-agreements on behalf of the board. No County matching funds are required. Countywide (GB)

7. Staff recommends motion to receive and file: the following executed agreements pertaining to the use of the Geographic-based Notification System, "Dialogic" for a period of three years which commence on December 22, 2011 and are automatically renewed for increments of three (3) year terms thereafter:

**A)** Town of Gulfstream in the amount of \$1,500;

**B)** Town of Hypoluxo in the amount of \$1,500;

**C)** Town of South Palm Beach in the amount of \$1,500;

**D)** City of Atlantis in the amount of \$1,500; and

**E)** Town of Lake Clarke Shores in the amount of \$3,000

**SUMMARY:** The agreements provide access to the County's Geographic-based and/or NXT, roster-based Alert and Notification System (Dialogic System). The County's Dialogic System has been in place for over eight years and allows Palm Beach County agencies, municipalities, State and County Departments to access the dialogic system to make approximately 2,000,000 calls. It has been used for Amber Alerts, hurricane evacuations, boil water notices, etc. On August 16, 2005, the Board of County Commissioners (BCC) authorized the County Administrator or his designee to sign Dialogic agreements on behalf of the BCC. Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

8. Staff recommends motion to:

**A) approve** an Agreement with Palm Beach State College in an amount not to exceed \$2,250 per class for the period of January 24, 2012, through September 30, 2012 to provide Community Emergency Response Team (CERT) training for residents requesting CERT training through the Department of Public Safety Division of Emergency Management; and

**B) authorize** the County Administrator or his designee to execute any future contracts with the Palm Beach State College to provide CERT training on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

**SUMMARY:** Palm Beach County Department of Public Safety, Division of Emergency Management provides CERT training to residents of Palm Beach County. This program educates residents about disaster preparedness for types of hazards that may impact our county. Using the training learned in the classroom and during exercises, CERT members can assist others in their neighborhood or workplace following an event. Funding for this agreement will be provided by the State of Florida, Division of Emergency Management grants. Countywide (GB)

AA. PALM TRAN

1. Staff recommends motion to:

**A) adopt** a Resolution authorizing the conveyance of three (3) Arboc Mobility 20-Passenger Low Floor Cut Away buses to Hernando County, Florida; and

**B) approve** Agreement regarding the conveyance of three (3) Arboc Mobility 20-Passenger Low Floor Cut Away buses to Hernando County, Florida.

**SUMMARY:** Palm Tran needs to dispose of three (3) Arboc Mobility 20-Passenger Low Floor Cut Away buses. These buses have not reached their useful life, and in accordance with the Federal Transit Administration (FTA) guidelines, may be conveyed to another FTA grant recipient. Hernando County has approached Palm Tran and expressed their desire to acquire these buses. Hernando County has affirmed that it is an entity qualified and eligible to receive a conveyance of personal property from Palm Beach County in accordance with the requirements of Section 125.38, F.S., and that it desires to use the buses for the public or community interest and welfare. These buses were purchased using 100% Federal funds earmarked to the City of Boynton Beach, and Palm Beach County purchased the buses on behalf of the City of Boynton Beach. The City of Boynton Beach has notified Palm Tran of the discontinuation of their service and these buses are no longer needed by the City. Countywide (DR)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF'S OFFICE

1. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a FY '11 State Homeland Security Grant in the amount of \$271,441, for the period of October 1, 2011, through April 30, 2014; and

**B) approve** a Budget Amendment of \$271,441 in the Sheriff's Grant Fund.

**SUMMARY:** On November 21, 2011, the Palm Beach County Sheriff's Office received an award from the State of Florida, Division of Emergency Management. These funds and related equipment will be used for direct Homeland Security Initiatives. There is no match associated with this award. No additional positions are needed and no additional County funds are required. Countywide (GB)

2. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Florida Division of Emergency Management, FY 2011 Homeland Security Grant Program award, for Operation Stonegarden FY11, in the amount of \$50,000 for the period of October 1, 2011, through April 30, 2014; and

**B) approve** a Budget Amendment of \$50,000 in the Sheriff's Grants Fund.

**SUMMARY:** On November 17, 2011, the Palm Beach County Sheriff's Office (PBSO) received a FY 2011 Homeland Security Grant Program award for Operation Stonegarden FY11. Funds provided will be used to enhance the United States Border Patrol's (U.S.B.P.) mission to secure the Nation's coastline through an all-threats layered integrated approach in collaboration with local and state law enforcement agencies, and Border Patrol. Specifically, grant funds will pay for overtime to reinforce our presence within local communities along the coast; and intercepting those who have illegally crossed our borders through highway interdiction and crime suppression operations. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (GB)

3. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Bureau of Justice Assistance (BJA) State Criminal Alien Assistance Program FY 2011 Grant in the amount of \$444,644; and

**B) approve** a Budget Amendment of \$444,644 in the Sheriff's Grants Fund.

**SUMMARY:** The Bureau of Justice Assistance has made funds available to be used for correctional purposes. These funds will be used according to the Department of Justice Reauthorization Act of 2005. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF'S OFFICE (Cont'd)

4. **Staff recommends motion to approve:** a Budget Transfer of \$49,307 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the LETF's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2012 estimated donation requirement will not be finalized until year-end close-out. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETF balance is \$1,862,607. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,813,300. The year-to-date transfer for all donations after approval of this item is \$749,328. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no additional County funds are required. Countywide (GB)

ORGANIZATION	AMOUNT
Achievement Centers for Children and Families	10,000
Caribbean American for Community Involvement in Florida, Inc.	4,307
Mental Health Association of Palm Beach County, Inc.	25,000
Sweets Foundation	10,000
<b>Total Amount of Donations</b>	<b>\$49,307</b>

CC. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. **Staff recommends motion to approve:** Modification Number Four to the Subgrant Agreement between the Division of Emergency Management (DEM) and Palm Beach County (County) to reinstate the Subgrant Agreement and modify the expiration date of the Subgrant Agreement to April 4, 2012. **SUMMARY:** The Subgrant Agreement for the design of canal improvements to the Lake Worth Drainage District L-2 Canal between Wabasso Drive and Osceola Drive in Westgate expired on October 4, 2011. Modification Number Four will reinstate the Subgrant Agreement as though it had never expired and extend the expiration date to provide sufficient time for the Westgate/Belvedere Homes Community Redevelopment Agency (CRA) to complete the permitting and public notices for the canal improvements. District 2 (MRE)

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4. PUBLIC HEARINGS – 9:30 A.M. (Motion to receive and file: Proof of publication)

A. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners (Board) of Palm Beach County, Florida, amending Palm Beach County Code Chapter 26, Article II Division 1, known as the Municipal Service Taxing Unit (MSTU) Special Assessment Ordinance (Ordinance 2008-063); amending Section 26-23, improvements; amending Section 26-24, special assessments; amending Section 26-29, percentage of costs, further procedures; amending Section 26-30.3, public hearing; amending Section 26-30.10, payments; amending Section 26-30.15, savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; providing for effective date. **SUMMARY:** The proposed Ordinance will amend Chapter 26, Article II, Division 1, known as the MSTU Ordinance 2008-063 to allow for assessments and collections at a percentage rate less than 100% when directed by the Board of County Commissioners, but the rate can be no less than 50%. There remain a few MSTU projects that were petitioned at the previous 50% rate that cannot be approved at a rate less than 100% without this amendment. The proposed Ordinance also amends the section on street lighting improvements regarding costs being capable of being calculated for special assessment purposes and amends the timeframe between bid opening and public hearing to be as soon as practicable. Countywide (MRE)

B. **Staff recommends motion to:**

**1) adopt** a Resolution confirming the special assessment of \$87.82 per foot for 1<sup>st</sup> Street, 2<sup>nd</sup> Street, 3<sup>rd</sup> Street, Sunbeam Avenue and Wallis Road Paving and Drainage (Project), Project No. 2005135;

**2) approve** a Contract with Intercounty Engineering, Inc. (Contractor), the lowest, responsive, responsible bidder, in the amount of \$690,074 for the Project; and

**3) approve** a Budget Transfer in the amount of \$740,695 in the Municipal Services Taxing Unit Improvement Fund from Reserves to the Project.

**SUMMARY:** Adoption of this Resolution will allow Palm Beach County to assess 50% of the Project costs to the property owners at \$87.82 per abutting foot for the Project. When this Project originated and again re-petitioned, the petitions indicated 50% participation by the residents. Assessments will be payable in 10 equal annual installments. Approval of the construction contract will authorize the Contractor to construct the Project, for a total of approximately 4810 lineal feet (0.91 miles), on 1<sup>st</sup> Street, 2<sup>nd</sup> Street, 3<sup>rd</sup> Street and Sunbeam Avenue between Southern Boulevard (SR-80) and Wallis Road, and Wallis Road from the existing pavement east of Jog Road, east to 1<sup>st</sup> Street. This work will include new pavement, driveway reconstruction, and a storm water management system. The Contractor is a Broward County business. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the Project by the Contractor is 15% overall. District 6 (MRE)

4. PUBLIC HEARINGS – 9:30 A.M. CONTINUED

(Continued from October 18, 2011 and December 20, 2011)

C. Staff recommends motion to:

1) **approve** an assessment of 50% of total project costs for the Michlar Drive, Tamis Trail and 105<sup>th</sup> Avenue South Paving & Drainage (Project), Project No. 2002136;

2) **adopt** a Resolution confirming the special assessment of \$19,662.55 per lot for the Project;

3) **approve** a Contract with Rosso Paving and Drainage, Inc. (Contractor), the lowest, responsive, responsible bidder, in the amount of \$435,519.20 for the Project; and

4) **approve** a Budget Transfer of \$526,120 in the Municipal Services Taxing Unit (MSTU) Improvement Fund from Reserves to Michlar Drive, Tamis Trail and 105<sup>th</sup> Avenue South.

**SUMMARY:** The recently approved MSTU Ordinance allows the Board of County Commissioners to approve an assessment of 50%. When this Project originated and again re-petitioned, the petitions indicated 50% participation by the residents. The assessment is \$19,662.55 per lot for the Project and is payable in 20 equal annual installments. Approval of the construction contract will authorize the Contractor to construct the Project, for a total of approximately 4,064.55 lineal feet (0.76 miles), on Michlar Drive from Anderson Lane north to Tamis Trail, Tamis Trail from Michlar Drive east to 105<sup>th</sup> Avenue South and 105<sup>th</sup> Avenue South from Tamis Trail south to 52<sup>nd</sup> Place South. This work will include new pavement, driveway reconstruction, and a storm water management system. The Contractor is a Palm Beach County business, with 50.6% of the work to be performed by the Contractor. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the Project by the Contractor is 50.61% overall. District 3 (MRE)

D. Staff recommends motion to:

1) **approve** the filing of the FY 2011 Section 5307 Federal Transit Administration (FTA) Grant Application FL-90-X760 for capital funds allocated to Palm Beach County in the amount of \$14,516,104; and

2) **approve** the FTA Master Agreement FTA MA(18) dated October 1, 2011; and

3) **authorize** the Palm Tran Director or Assistant Director through the County Administrator to execute, on behalf of the Board, and to transmit electronically the Board's approval of the Master Agreement and the 5307 grant award; and

4) **approve** an upward Budget Amendment of \$907,137 in the Palm Tran Grants Fund to reconcile the FY 2012 budget to the actual grant award, pending actual grant award.

**SUMMARY:** FTA distributes Section 5307 funds to provide public transportation capital, operating assistance, and for public transportation-related planning. The grant will fund capital items necessary for the continued operations of the Palm Tran system: 1) replace buses that have reached their useful life, 2) install permanent oil filters in all buses, 3) tire lease, 4) shop equipment, 5) MIS equipment, 6) security projects, 7) Regional Fare Card Interoperability Project - Phase I, 8) replace support vehicles that have reached their useful life, 9) miscellaneous support equipment, 10) maintenance projects at main administrative/maintenance buildings, 11) Lease for CONNECTION facilities, 12) preventive maintenance, 13) ADA paratransit service, 14) employee education and training, 15) third party contracts – AVL Wireless, and 16) transit enhancements. The grant requires a 20% local match. Palm Tran has received approval from the Florida Department of Transportation (FDOT) for the use of toll revenue credits as the required local 20% match; therefore, the projects budget lists the capital projects at 100% cost for the federal share, no County funds are required. Countywide (DR)

5. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to adopt:** a Resolution supporting the current structure and adequate funding of the water management districts and opposing the centralization of regional/local water resources control through any statewide authority. **SUMMARY:** At the December 2011 meeting of the County Coalition for Responsible Management of Lake Okeechobee, St. Lucie and Caloosahatchee Estuaries, and Lake Worth Lagoon (County Coalition), a resolution was passed to support the structure and adequate funding of the Water Management Districts. That resolution also opposed centralization of regional/local water resources by executive or legislative branches of government or by a statewide board or authority. The above Resolution adopts the positions taken by the County Coalition. Countywide (MJ)

2. **Staff recommends motion to receive and file:**

**A)** a Ground Lease Agreement between Palm Beach County and The Scripps Research Institute for 70 acres; and

**B)** a Memorandum of Lease.

**SUMMARY:** On May 2, 2006, the Board of County Commissioners (BCC) approved the Grant Agreement with The Scripps Research Institute which included the Ground Lease Agreement as an Exhibit. On February 28, 2006, the BCC approved an Agreement (R2006-0423) for the Donation and Purchase and Sale with The Lester Family Investments, L.P., Richard Thall, Robert Thall, Peter L. Briger, Paul H. Briger, and the David Minkin Florida Realty Trust for 70 acres of property on the Briger site in Palm Beach Gardens. The Grant Agreement requires the County to obtain development entitlements, environmental permits, and water/sewer capacity reservations for the 70 acres to facilitate the construction of an additional 1.6 million square feet of bioscience or related use. The County fulfilled these contractual obligations as of June 29, 2011. Accordingly, Scripps has executed both the Lease Agreement and the Memorandum of Lease. Under the Lease, Scripps is solely responsible for and shall perform any and all improvements, repairs, alterations or other work necessary to render the 70 acres suitable for Scripps intended use. Upon expiration of the Term (February 6, 2021), provided Scripps is not in default of the Lease or the Grant Agreement, the County will be obligated to convey the property to Scripps for \$1. Countywide (HF)

3. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, requesting support for continued local control of regional workforce boards in the State of Florida; withdrawal of proposals that directly contradict local authority specifically provided for by the Federal Workforce Investment Act and reduce local control; support of alternative legislation for increased regional workforce board transparency and accountability, and transmittal of the document to various state elected officials, administrators, associations and regional workforce boards. **SUMMARY:** On July 10, 2007, the Board of County Commissioners (BCC) approved an Interlocal Agreement (R2007-1220) creating the Palm Beach County Workforce Development Consortium. Under the Interlocal Agreement, Workforce Alliance, Inc. (Alliance) acts as the fiscal agent, grant recipient, and administrative entity for funding sources that support workforce development activities for Region 21, Palm Beach County. The Interlocal Agreement empowers the BCC to appoint 17 (85%) of the private sector members to the Alliance Board of Directors. A perceived lack of oversight of Workforce Consortiums by local elected officials across the State has prompted the Legislature to propose the Workforce Board Accountability Act (HB 7023). It is the opinion of the Florida League of Cities and County Staff that many of the provisions contained in the Act would significantly affect the operation, responsibilities, and local control of Alliance. Countywide (TKF)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

4. **Staff recommends motion to adopt:** a Resolution by the Board of County Commissioners of Palm Beach County, Florida, conceptually approving a \$75,000 Job Growth Incentive (JGI) Grant with Digital Risk, LLC as a portion of the local match for a State Qualified Target Industry (QTI) Grant with a High Impact Sector Bonus, and providing for an effective date. **SUMMARY:** Digital Risk, LLC is a business and financial services firm specializing in providing mortgage underwriting services to mortgage originators, lenders, insurers, conduits, investors and servicers. The company has approximately 1,000 employees in other areas of Florida. In addition, the company has offices in New York, Texas and Colorado, and is considering leasing 25,000 sq. ft. of space in Boca Raton. The company will create 150 jobs by December 31, 2014, with an average annual salary of \$48,048, excluding benefits. The company has secured a total of \$750,000 from the State of Florida which requires a \$150,000 local match. Of this amount, the City of Boca Raton will provide \$75,000 and the County will provide a total of \$75,000 over four (4) years. The Regional Economic Model results estimate that Digital Risk, LLC will have a \$130 Million economic impact over a five (5) year period, generating \$6.7 Million in state and local taxes. Digital Risk, LLC is considering Boca Raton, along with Atlanta, Georgia; Los Angeles, California; and, Phoenix, Arizona. As this approval is conceptual, formal Grant Agreements will be brought before the Board of County Commissioners (BCC) when Digital Risk, LLC has finalized their plans. The BCC directed staff to bring qualified companies to the BCC for consideration. **Funding will come from General Fund Contingency Reserves. District 4 (DW)**

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

5. Staff recommends motion to:

**A) approve** the seven (7) negotiated Glades Utility Authority (GUA) absorption conditions as agreed to by Palm Beach County Staff, the City of Belle Glade, and the City of Pahokee; and

**B) establish** a deadline of February 15, 2012, for the City of South Bay to pass a Resolution agreeing to all seven (7) negotiated absorption conditions with no additional requirements; should the City of South Bay fail to pass the Resolution by the established date, direct Staff to have no further negotiations with the Tri Cities (Belle Glade, Pahokee, and South Bay) concerning absorption and to bring options to protect the County's interests with respect to the GUA to the Board of County Commissioners (BCC) at the March 20, 2012 meeting.

**SUMMARY:** On October 4, 2011, the BCC directed Staff to initiate negotiations with representatives of each of the Tri Cities regarding a plan for the County's Water Utilities Department (WUD) to absorb the GUA. Good faith negotiation meetings held on October 28, 2011 and November 16, 2011, resulted in an additional \$8.7 Million impact to WUD over the first five (5) years of operation above the County's original offer. A decrease of \$23 Million in WUD's unrestricted cash balance is projected to occur should the BCC agree to absorb the GUA under these conditions.

County Staff had previously recommended that, prior to loaning the GUA \$2 Million from General Fund Reserves, each of the Tri Cities pass a Resolution prior to December 31, 2011, agreeing to the absorption conditions. To memorialize the negotiations, the Cities of Belle Glade and Pahokee each passed a Resolution agreeing to the following seven (7) negotiated absorption conditions:

- 1) Maintain the GUA service rates constant until such time as the GUA service area rates meet prevailing County rates plus 7%;
- 2) Maintain Host Fees (Utility Transfer Fees) at 7%;
- 3) Eliminated Reconnect Fees on a one (1) to one (1) basis;
- 4) Reduce Readiness to Serve (RTS) Charge for GUA service area customers to equal that of the County's RTS;
- 5) County will make capital contributions of \$25 Million over the first five (5) years in the amount of \$5 Million per year;
- 6) County will bill and collect municipal fees on behalf of the Tri Cities; and
- 7) County will provide an opportunity for the residents of each City to make payments in person for 40 hours a week per City.

The City of South Bay did not pass a Resolution by December 31, 2011, agreeing to these conditions. Alternatively, on December 6, 2011, they passed a Resolution, which expressed support of future local control of water and sewer operations; and supported a GUA negotiated dissolution, which grants South Bay the ability to have local control. South Bay has also requested that the County consider a five (5) year Bulk Agreement. County Staff is firmly opposed to these requests.

On September 15, 2009, the BCC approved a Resolution (R2009-1559) providing a covenant to budget and appropriate an amount of not-to-exceed \$10 Million for debt service, operations, and maintenance obligations of the GUA. This back up pledge was a requirement of Wachovia Bank in order for the GUA to secure a loan for start-up funding. Stipulations of the loan documents require full repayment of the principal balance plus penalties upon dissolution of the GUA. To date, the GUA has not adopted a surcharge to address revenue shortfalls and therefore does not have a FY 2011-2012 budget. The GUA remains in a perilous fiscal condition. District 6 (MJ)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

6. **Staff recommends motion to approve:** a First Amendment to Legal Services Authorization 2011-0353-C (First Amendment) with Sundstrom, Friedman & Fumero for services related to the Glades Utility Authority (GUA) increasing the not to exceed amount from \$50,000 to \$100,000. **SUMMARY:** On March 15, 2011, the Palm Beach County Board of County Commissioners (BCC) approved an Agreement with Rose, Sundstrom & Bentley, LLP (now known as Sundstrom, Friedman & Fumero, LLP) for legal services related to complex utility projects agreements (R2011-0353). Pursuant to the Agreement, services were to be assigned pursuant to task specific Legal Services Authorizations. Legal Services Authorization 2011-0353-C was issued for services related to the financial crisis currently being experienced by the GUA. Pursuant to BCC direction, County staff has undertaken good-faith negotiations with representatives of the Cities of Belle Glade, Pahokee, and South Bay related to the County's Water Utilities Department (WUD) absorption of the GUA. However, at this time, it is not clear whether South Bay will agree to terms required by the County for the absorption to occur, and the County may therefore need to plan for an alternative resolution. The First Amendment modifies the Scope of Work of Legal Services Authorization 2011-0353-C to provide advice and counsel as to possible alternative resolutions to absorption of GUA into WUD and protection of the County's interest in those alternatives. The First Amendment also increases the not-to-exceed amount from \$50,000 to \$100,000. District 6 (MJ)

**(CLOSED SESSION)**

7. Executive Session scheduled for 1:30 p.m. in McEaddy Conference Room to discuss negotiations with the Amalgamated Transit Union.

5. REGULAR AGENDA

B. COMMUNITY SERVICES

1. Staff recommends motion to approve:

A) Service Agreement with American Eldercare, Inc., for the Division of Senior Services (DOSS), to provide community-based assistance as a service provider effective February 1, 2012;

B) a Budget Amendment of \$79,360 in the DOSS Administration Fund to establish the budget for the remaining year; and

C) Two (2) new Senior Service Aide positions.

**SUMMARY:** DOSS has the program and facility capacity to provide community-based services to American Eldercare, Inc. clients. DOSS will offer Adult Day Care and Congregate Meals to American Eldercare, Inc. clients at a reimbursement rate of \$60 for Adult Day Care, \$6 for a Congregate Meal at DOSS's meal sites, and \$5 for coordination of transportation on an as-needed basis. This will enable DOSS to generate an estimated revenue base of \$119,040 per year, independent from grants and County match, to revert to the operating budget to serve seniors. The Agreement shall continue in effect unless terminated by either party with at least 60 days notice. DOSS will create two (2) FTE Senior Service Aide positions, Pay Grade 12, to ensure adequate program staffing. (DOSS) Countywide (TKF)

C. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a request from the Boynton Beach CRA to amend the grant conditions (specifically Declaration of Restrictive Covenants) to allow demolition of a building within the Boynton Beach Marina allowing for the redevelopment of the overall property in accordance with the CRA's Master Plan. **SUMMARY:** In 2006, the County provided the CRA \$2M (R2006-1919) in grant funding under the \$50M Waterfront Preservation and Access Bond to assist in the CRA's acquisition of the Boynton Beach Marina. A Declaration of Restrictive Covenants was recorded to; 1) restrict the use to public marina purposes, 2) require that at least eight (8) boat slips remain available for Charter/Commercial operations, and 3) require that an existing two story building used for Marina office, restrooms, dive shop and classroom be used for public Marina purposes. The Declaration further restricts any construction, renovation or alteration which would materially alter the Marina and/or otherwise impair, restrict or eliminate existing Marina uses. A key objective in the CRA's master plan is to provide ADA accessible bathrooms in a location accessible to the overall Marina. To that end, the City analyzed options for renovating the existing two story building. The analysis concluded that due to the building's age, condition and non-compliance with current codes, that it would be more cost effective to construct a new building than to renovate the existing building. The CRA proposes to demolish the existing building and construct a new building in a new location as depicted on their master plan. The new building is proposed to include public bathrooms and a Marina office, but will not include space for a dive shop operation. This will displace an existing Marina use/tenant. The City will present an overview of their master plan for the Marina and support their plan to demolish the existing building and displace the existing dive shop operation. The actions proposed by the CRA require Board approval pursuant to the Declaration. (PREM) District 4 (HJF)

5. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

**TIME CERTAIN 10:15 A.M.**

2. **Staff recommends motion to deny:** a request to immediately exercise the renewal option on a SubLease with Huttig Building Products (R2009-1211) for warehouse space utilized by the Supervisor of Elections (SOE) for support operations and election day vote tabulation. **SUMMARY:** On July 21, 2009, the Board entered into a SubLease with Huttig for approximately 76,000 sf of warehouse space for the SOE for a term of five years with a renewal option ending June 21, 2016. At the same time, the Board entered into a Consent to SubLease with RREEF America REIT II Corp (RREEF or Landlord R2009-1212). The Broker for the transaction was Robert Goldstein, President Hospitality Consultants Realty Services (HCRS) and the broker fees are owed by Huttig, pursuant to an agreement to which the County is not a party. For the last several months, HCRS has been requesting that the County exercise the renewal option so that HCRS can be paid its brokerage fee. In addition, HCRS believes that by exercising its renewal option early, there will be financial benefits to the County, that exercising will relieve the County from liability, and better protect the SOE from the potential interruption in the use of the space in the event of Huttig's bankruptcy. It is Staff's position that there are no benefits to the County in exercising the option early, and exercising early potentially limits the County's flexibility and negotiating position with the Landlord in the future. It is the County Attorney's Office opinion that County's interest in the property and its ability to continue in possession under the same terms is protected in the event of Huttig's bankruptcy and the date which the renewal option is exercised does not alter that protection. Further, it is Staff's position that immediately exercising the option only serves to benefit Mr. Goldstein by: 1) expediting the payment of the brokerage fee and/or 2) moving his brokerage fee to a more secure position in the event of Huttig's bankruptcy. While HCRS did good work in brokering the SubLease and it is unfortunate that the brokerage fee is tied to exercise of the option, Staff cannot consider the benefits to HCRS in determining when Staff recommends that the County exercise the renewal option. This item was placed on the Board's agenda as result of a request received from Susan Bucher, Supervisor of Elections, dated December 15, 2011. (PREM) Countywide (HJF)
  
3. **Staff requests Board direction:** on the conclusion of contract negotiations for the sale and development of the Wedge Property located within the Transit Oriented Development District in downtown West Palm Beach. **SUMMARY:** On December 6, 2011, Staff advised the Board that it had proceeded as far as it could with the negotiations and required direction. The Board requested that the item be rescheduled for January 24 so that: a) information presented by interested property owners could be reviewed and considered; and b) the Board could have additional time to review the outstanding issues. Since that time, Transit Village (TV) has modified its position on a couple of issues based on comments made by the Board; the comments of interested property owners have been considered; and traffic analyses and extensive discussions between traffic engineers representing the County, TV and the interested property owners have taken place. The issues which now remain are broad, big-picture concepts which speak directly to the Board's intent when issuing the RFP: a) timing of the project, b) financial assurances, and c) management of traffic impacts. Because the ultimate direction on one or all of these issues impacts almost every term of the contract either directly or indirectly, these are not issues that can be further independently tweaked. The Board is at a point where it must either determine if it wants to conclude the negotiations by: a) providing direction on the three (3) unresolved issues allowing the contract to be re-drafted, the Property Review Committee (PRC) review process to commence and an appraisal ordered, or b) terminating the RFP process. (FDO) Countywide (HJF)

5. REGULAR AGENDA

D. PLANNING, ZONING & BUILDING

1. Staff recommends motion to:

**A) adopt** Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for a total of one (1) historic property located within the City of Delray Beach; and

**B) approve** a restrictive covenant for the historic property, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

**SUMMARY:** The Resolution will authorize a County tax exemption for the following historic property located within the City of Delray Beach:

Address: 138 Northeast 1<sup>st</sup> Avenue Delray Beach/property type (residential)

If granted, the tax exemption will take effect January 1, 2011, and remain in effect for ten (10) years, or until December 31, 2020. The exemption will apply to 100 percent of the assessed value of all improvements to each historic property, which resulted from restoration, renovation, or rehabilitation of the property. Based on the 2012 Countywide Millage Rate, it is estimated that approximately \$1,302.54 tax dollars will be exempted annually for the property. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. District 7 (RB)

5. REGULAR AGENDA

E. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to:

**A) approve** First Mortgage Modification Policies to establish guidelines under which the terms of first mortgage loans made to homeowners under housing programs administered by the Department of Housing and Community Development (HCD) may be modified by means of Mortgage Modification Agreements; and

**B) adopt** a Resolution authorizing the County Administrator, or his designee, to execute Mortgage Modification Agreements with homeowners who have granted Palm Beach County first mortgages in exchange for the receipt of assistance under housing programs administered by the Department of Housing and Community Development provided that the terms of such Mortgage Modification Agreements comply with the First Mortgage Modification Policies, as attached hereto, and as may be amended from time to time by the Board of County Commissioners, and provided that such Mortgage Modification Agreements have been deemed legally sufficient by the County Attorney's Office.

**SUMMARY:** These First Mortgage Modification Policies (Policies) will allow County financed homeowners whose ability to service their first mortgage debt has been involuntarily reduced, to modify the terms of their County held first mortgages in order to maintain the affordability of their homes and to continue their homeownership tenure. HCD administers various housing programs under which homeowners receive financial assistance in exchange for which they grant the County repayable first mortgages as security for such funding. These Programs include, but are not limited to, the Universal Housing Trust Program (UHT), the Neighborhood Stabilization Programs 1, 2, and 3 (NSP1, NSP2, and NSP3), the State Housing Initiatives Partnership Program (SHIP) and the HOME Investment Partnership Program (HOME). Homeowners who become adversely affected by circumstances beyond their control and who as a consequence are not fully able to service their debt to the County, may apply to the County for relief as provided under these Policies. In order to provide relief to homeowners who qualify under these Policies, a Mortgage Modification Agreement must be executed that will result in extending the loan amortization period, adding delinquent mortgage payments to the backend of the loan, suspending or temporarily reducing mortgage payments for a pre-specified period, transferring a portion of the mortgage balance to an existing forgivable County financed second mortgage, or any combination of these measures. These Policies will require homeowners to pay a non-refundable \$750 fee to recover the County's administrative costs associated with mortgage modifications. **No additional local funds are required to implement the proposed policies.** (MHA) Countywide (TKF)

5. REGULAR AGENDA

E. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. Staff recommends motion to approve: Amendment No. 002 to the Residential Rehabilitation Program (RRP) Policies to raise the funding limit for current and future projects from \$35,000 to \$45,000 per project. **SUMMARY:** Policies approved on November 6, 2007, for the RRP presently have a funding limit of \$35,000 per project. This funding amount has proven to be insufficient on those occasions when walls are opened during the course of the rehabilitation project and substantial electrical, plumbing, and structural problems are uncovered. While the need for raising the funding limit is needed countywide, there has been increased numbers of rehabilitation projects undertaken on homes located in the Glades. Many of the homes in the Glades are older frame structures built on pilings. Change orders to fund unforeseen increased costs of rehabilitation construction due to termite damage and inferior construction methods are also causing project costs to exceed the present RRP funding limit of \$35,000. Currently, there are five (5) rehabilitation projects under construction requiring change orders that will result in exceeding the \$35,000 funding limit. In lieu of making five (5) waiver requests, HCD is requesting that the funding limit be raised to \$45,000 for current and future projects. **These are Federal Community Development Block Grant funds which require no local match.** (CREIS) Countywide (TKF)
  
3. Staff recommends motion to approve: \$2,000,000 in additional Neighborhood Stabilization Program 2 (NSP2) funding to Neighborhood Renaissance, Inc. for the acquisition and rehabilitation of foreclosed homes. **SUMMARY:** On April 5, 2011, the Board of County Commissioners approved \$9,500,000 in NSP2 funding for Neighborhood Renaissance, Inc. (NR), pursuant to which the County entered into an Agreement with NR on May 5, 2011 (R2011-1029), to acquire and rehabilitate at least 50 foreclosed single-family housing units for affordable rental in the County's Urban Redevelopment Area. NR's performance has exceeded projections, as over 30 single-family units have been acquired to date. NR currently has purchase contracts for 21 additional single-family properties. In addition to the 21 purchase contracts, they have 38 offers pending which combined will require an additional \$2 Million to complete. The funding will be reprogrammed from the County's NSP2 First and Second Mortgage Program. Staff is recommending approval as the proposed action will further the goals of the County's NSP2 Program, will assist the County in meeting strict expenditure deadlines imposed by the U.S. Department of Housing and Urban Development (HUD) and will not result in a decrease in the total amount of beneficiaries served under the Program. **These are Federal NSP2 funds which require no local match.** (HCD Administration) Districts 2 & 3 (TKF)

5. REGULAR AGENDA

F. WATER UTILITIES

1. Staff recommends motion to approve:

A) Amendment No. 1 to the Reclaimed Water Agreement with Florida Power and Light Company (FPL);

B) Bill of Sale and Assignment with FPL;

C) Bill of Sale and Assignment to the East Central Regional Wastewater Treatment Facilities Operation Board (ECR); and

D) Utility Easement from FPL for access to and maintenance of reclaimed water facilities located at the West County Energy Center (WCEC).

**SUMMARY:** The Palm Beach County Board of County Commissioners (BCC) approved a Reclaimed Water Agreement with FPL on May 20, 2008 (R2008-0906), setting forth the terms and conditions of the construction and operation of a reclaimed water plant located on ECR Property, certain reclaimed water facilities located at the WCEC, and a reclaimed water pipeline connecting the ECR facilities to the WCEC facilities (collectively, the Reclaimed Water Project). Construction of the Reclaimed Water Project is now complete. As such certain documentation is required to transfer ownership to the County, and in the case of the facilities located on ECR property to the ECR. Amendment No. 1 to the Reclaimed Water Agreement includes: modifications to the maintenance responsibilities for certain facilities located at WCEC; modifications of the billing procedures to allow for a simplified rate structure; modifications related to reimbursements to FPL for third party usage of the Reclaimed Water Project and interest earned on certain accounts; and other modifications required to clarify the parties' intent regarding bond issues and land acquisition required for the Reclaimed Water Project. The changes in Amendment No.1 are clean up items and they do not materially affect the intent, the obligations of the parties, or the underlying financial basis of the original Agreement. The Bill of Sale and Assignment with FPL conveys the Reclaimed Water Project, and assigns all related warranties from FPL to the County. The Bill of Sale and Assignment to ECR conveys that portion of the Reclaimed Water Project located on ECR property, and assigns all related warranties from the County to ECR. The Utility Easement from FPL to the County provides the County with an easement for certain Reclaimed Water Project facilities constructed at WCEC and access thereto. Districts 2 & 6 (MJ)

G. COUNTY ATTORNEY

1. Staff recommends motion to approve: a Memorandum of Agreement with the Department of Health ("Department") to delegate the duties and responsibilities of the Environmental Control Officer ("ECO") to the Department's local legal office. **SUMMARY:** Chapter 77-616, Laws of Florida ("Special Act"), as amended, authorizes the Board of County Commissioners of Palm Beach County, sitting as the Environmental Control Board, to appoint an ECO. Pursuant to the Special Act, the ECO may be either an attorney or an engineer. The purpose of this Memorandum of Agreement is to officially delegate the duties and responsibilities of the ECO to the Department's legal office. Countywide (GDB)

5. REGULAR AGENDA

H. PUBLIC SAFETY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, amending Resolution No. 2009-0248; designating the South Florida Hospital and Healthcare Association as the agency to recommend one (1) nominee per two (2) year term for the Hospital Chief Executive Officer Seat. **SUMMARY:** Per Resolution R2009-0248, the Board of County Commissioners (BCC) approved the addition of a Hospital CEO representative to the Emergency Medical Services Advisory Council (Council). The current 18 member EMS Advisory Council is made up of a representative from each of the following: Fire Chief's Association; Private Ambulance Provider; Hospital Administration; Health Care District - Trauma Management; PBC Medical Society; Economic Council of PBC; Emergency Room Nurses Forum; EMS Educator; PBC EMS Medical Directors' Association; PBC Council of Firefighters; and a District Consumer appointed by each Commissioner; and Hospital Chief Executive Officer. At the November 1, 2011 BCC Meeting, the Commission directed staff to amend the Resolution to provide that the Hospital CEO term of membership be amended from two (2) years to one (1) year. On November 17, 2011, staff presented the BCC's recommendation to the Council. The Council voted to recommend that the term of membership for the Hospital CEO remain at two (2) years, but that the South Florida Hospital and Healthcare Association be designated as the agency to provide one (1) nominee per two (2) year term for the Hospital CEO seat to be appointed by the BCC. Countywide (GB)

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6. BOARD APPOINTMENTS

A. **ADMINISTRATION**  
**(Workforce Alliance, Inc.)**

1. **Staff recommends motion to approve:** the appointment of Joel B. Miller to the Workforce Alliance, Inc. (Alliance) Board of Directors for the period January 24, 2012, to January 23, 2015:

Nominee/ Appointment	Seat No.	Area of Representation	Nominated By
Joel B. Miller	4	Private Sector	Workforce Alliance, Inc.

**SUMMARY:** The membership of Workforce Alliance, Inc. (Alliance) conforms to the requirements of the Workforce Investment Act (WIA) of 1998, and the Workforce Innovation Act of 2000. Policy for this item is defined in Agreement R2007-1220 between Palm Beach County, Florida (County) and Alliance dated July 10, 2007. Per this Agreement 17 private sector member appointments shall be made by County. The Workforce Investment Act of 1998 requests that an emphasis be placed on CEO's or highest level of management positions for both community and business sector appointments. The Alliance Board of Directors is comprised of a minimum of 40 members as determined from time to time by the Board of Directors with representatives of business in the local area who are owners of businesses, local educational entities, labor organizations, community-based organizations, economic development agencies, one-stop partners. Countywide (TKF)

6. BOARD APPOINTMENTS

A. **ADMINISTRATION (Cont'd)**  
**(Handicapped Accessibility and Awareness Grant Review Committee)**

2. **Staff recommends motion to approve:** **A)** reappointment of two (2); and **B)** appointment of three (3) at-large members to the Handicapped Accessibility and Awareness Grant Review Committee (Grant Review Committee) for a two (2) year period beginning January 24, 2012, through January 23, 2014. These are at-large appointments to be made from the following list of nominees:

<b><u>Reappointments:</u></b>	<b><u>Seat No.</u></b>	<b><u>Nominated by:</u></b>
Roberta Van Sickle	1	Comm. Marcus Comm. Burdick Comm. Taylor
William Lapp	4	Comm. Vana Comm. Marcus Comm. Burdick Comm. Taylor
<b><u>New Appointments:</u></b>	<b><u>Seat No.</u></b>	<b><u>Nominated by:</u></b>
Pamela White	2	Comm. Marcus Comm. Taylor
Jerome C. Goldstein	3	Comm. Marcus Comm. Burdick Comm. Taylor
Thomas A. Hogarth	5	Comm. Marcus Comm. Taylor Comm. Burdick

**SUMMARY:** This Committee is comprised of nine (9) members. All members must be residents of Palm Beach County and a person with disabilities or advocate for persons with disabilities. These appointments are necessary to fill five (5) of the nine (9) vacancies on the Grant Review Committee as a result of multiple expired terms. All terms expired on August 27, 2009. All appointments are for a term of two (2) years and are at-large. Mr. Lapp has disclosed that he serves on the board of directors of three non-profit agencies including one in which his wife is the executive director. Disclosure of this relationship is being provided in accordance with the provision Sect. 2-443, of the Palm Beach Code of Ethics. Mr. Lapp requested and received an advisory opinion from the Palm Beach County Ethics Commission dated September 14, 2011 which opined that Mr. Lapp is not prohibited for serving on this Committee. The advisory opinion is attached to the Agenda Item. Additionally, the Committee provides no regulation, oversight, management, or policy-setting recommendations regarding those three non-profit agencies. Countywide (TKF)

6. BOARD APPOINTMENTS

B. **COOPERATIVE EXTENSION SERVICE  
(Agricultural Enhancement Council)**

1. **Staff recommends motion to approve:** **A)** appointment; and **B)** reappointment of the following individuals to the Agricultural Enhancement Council for the term of January 24, 2012, to January 23, 2015:

**A) Appointment**

<b><u>Name</u></b>	<b><u>Category, Seat Number</u></b>	<b><u>Expire</u></b>
Rick Roth	Farm Bureau, Seat 2	1/23/15
Stephen Basore	Agricultural Value Added Industry, Seat 6	1/23/15
Lyn Cacella	Farm Credit of South Florida, ACA, Seat 4	1/23/15

**B) Reappointment**

<b><u>Name</u></b>	<b><u>Category, Seat Number</u></b>	<b><u>Expire</u></b>
Glenn Whitworth	Eastern PBC Vegetable Industry, Seat 1	1/23/15
Mark Sadders	Sugar Cane Industry, Seat 3	1/23/15
William Churchill	Nursery Industry, Seat 5	1/23/15
Matthew Miller	Agricultural Supplier, Seat 7	1/23/15
Burton Ashton	Western PBC Vegetable Industry, Seat 8	1/23/15
Daniel P. Coffman	PBC Horse Industry Council, Seat 9	1/23/15

**SUMMARY:** Based on Resolution No. 94-1760, nine (9) agricultural related entities were requested to nominate one (1) member each to the Agricultural Enhancement Council (AEC). Nine (9) nominations are being submitted at this time. Rick Roth has disclosed that he has a Lease Agreement with Palm Beach County. The Agricultural Enhancement Council provides no regulation, oversight, management or policy-setting recommendations regarding the subject agreement. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sec. 2-443 of the Palm Beach County Code of Ethics. Countywide (AH)

6. BOARD APPOINTMENTS

C. **FIRE RESCUE**  
**(Fire Code Board of Appeals and Adjustments)**

1. **Staff recommends motion to approve:** one (1) appointment to Seat No. 4 to the Fire Code Board of Appeals and Adjustments beginning on January 24, 2012, through January 23, 2015:

<b><u>Nominee</u></b>	<b><u>Category</u></b>	<b><u>Seat No.</u></b>	<b><u>Nominated By</u></b>
Steve Soderlund	Architect	4	Commissioner Marcus Commissioner Burdick Commissioner Aaronson

**SUMMARY:** The Fire Code Board of Appeals and Adjustments is maintained in accordance with the Palm Beach County Local Amendments to the Florida Fire Prevention Code (Ordinance 2011-038). The appointment of Mr. Soderlund will fill the unexpired term of Mr. Goodstein who resigned on August 8, 2011, as he no longer resides in Palm Beach County. On October 11, 2011, a memo was distributed to the Commissioners requesting nominations to this eight (8) member board (At-Large). This board is appointed by the Board of County Commissioners and members serve three (3) year terms, with no limit on the number of terms an individual may serve. No other nominations were received. Countywide (SB)

D. **PARKS & RECREATION**  
**(Boynton Beach Municipal Golf Course Advisory Committee)**

1. **Staff recommends motion to appoint:** one (1) alternate at-large County member to the Boynton Beach Municipal Golf Course Advisory Committee for a term of approximately five (5) years, January 24, 2012, to December 1, 2016:

<b><u>Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Requirement</u></b>	<b><u>Nominated By:</u></b>
Pamela Rothman	Alternate	Citizen at Large	Comm. Karen T. Marcus Comm. Priscilla A. Taylor Comm. Jess R. Santamaria

**SUMMARY:** The Board of County Commissioners, according to the Agreement with the City of Boynton Beach, appoints two (2) regular members and one (1) alternate member to the Boynton Beach Municipal Golf Course Advisory Committee. Mrs. Rothman desires to be appointed to the alternate seat. Mrs. Rothman has satisfied the Ethics Training requirements. Notice was sent to the Commissioners on November 9, 2011, asking for nominations to fill this vacancy. Countywide (AH)

6. BOARD APPOINTMENTS

E. **OFFICE OF FINANCIAL MANAGEMENT & BUDGET**  
**(Investment Policy Committee)**

1. **Staff recommends motion to approve:** appointment of the following individual to the Investment Policy Committee:

<b><u>Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Nominated By</u></b>
Joseph D. Hill, Jr.	3	Commissioner Taylor Commissioner Aaronson

**SUMMARY:** Allyson DuPree Smith has vacated her seat on the Investment Policy Committee (IPC) and her seat on the Committee needs to be filled. The Committee is comprised of seven (7) members, including a current member of the Board of County Commissioners, four (4) representatives from the private sector approved by the BCC, a designee of the Palm Beach County Sheriff’s Office, and an employee of the Office of Financial Management and Budget selected by the County Administrator. Commissioner Aaronson currently serves as the Board’s representative and as the Committee’s Chairman. Countywide (PK)

F. **PUBLIC SAFETY**  
**(Emergency Medical Services Advisory Council)**

1. **Staff recommends motion to approve:** reappointment of the following individual to the Emergency Medical Services Advisory Council (EMS Advisory Council) for a term of two (2) years, from January 24, 2012, to January 23, 2014:

<b><u>Re-appoint</u></b>	<b><u>Representing Seat No. 6</u></b>	<b><u>Term</u></b>	<b><u>Nominated by:</u></b>
Mark Nosacka	Economic Council of PBC, Inc.	1/24/2010-1/23/2014	Commissioner Marcus

**SUMMARY:** The EMS Council (R2009-0248) consists of 18 members who include 11 members that represent the various components of the EMS system with specific requirements, and seven (7) Commission District Consumer appointments. A memo was sent to all Board members on November 29, 2011 seeking nominations for the above one (1) At-large seat. Countywide (GB)

G. **PLANNING, ZONING & BUILDING**  
**(Zoning Commission)**

1. **Staff recommends motion to approve:** reappointment of the following nominee to the Zoning Commission (ZC) for the terms indicated below:

<b><u>Nominee</u></b>	<b><u>Seat No</u></b>	<b><u>Requirement</u></b>	<b><u>Nominated by</u></b>	<b><u>Term</u></b>
Robert G. Currie	9	Architect	AIA Palm Beach	2/7/2012-2/3/2015

**SUMMARY:** The Zoning Commission Membership, Powers, and Duties are established by Ordinance 2003-067, as amended. The Board consists of nine (9) members appointed by the Board of County Commissioners (BCC). Each member of the BCC shall appoint one (1) District member to the ZC. The remaining two (2) members shall be appointed by a majority vote of the BCC and shall be architects registered in the State of Florida nominated by the Palm Beach County Chapter of the American Institute of Architects (AIA). These appointments are consistent with the Unified Land Development Code (ULDC) requirements, Article 2.G.3.M, ZC Unincorporated (RB)

6. BOARD APPOINTMENTS

G. **PLANNING, ZONING & BUILDING (Cont'd)**  
**(Construction Industry Licensing Board)**

2. **Staff recommends motion to approve:** **A)** appointment of two (2) new members; and **B)** re-appointment of two (2) current members to the Construction Industry Licensing Board (CILB):

<b><u>Appoint</u></b>	<b><u>Seat No</u></b>	<b><u>Requirement</u></b>	<b><u>Term</u></b>	<b><u>Nominated by</u></b>
Frank Juliano	10	Swimming Pool Contractor	1/24/12-9/30/14	Comm. Burdick Comm. Marcus
Vicki Soderlund	12	Architect Member	1/24/12-9/30/13	Comm. Burdick Comm. Marcus
<b><u>Reappoint</u></b>	<b><u>Seat No</u></b>	<b><u>Requirement</u></b>	<b><u>Term</u></b>	<b><u>Nominated by</u></b>
Thomas Hogarth	7	Building Official Member	1/24/12-9/30/14	Comm. Burdick Comm. Marcus
Christine M. Hoke	15	Consumer Member	1/24/12-9/30/14	Comm. Burdick Comm. Marcus

**SUMMARY:** The Construction Industry Licensing Board was established by Special Act, Chapter 67-1876, Laws of Florida as amended. The Special Act and subsequently Florida State Statute sets forth the membership of the Board, which consists of 15 members. The above named members have been recommended by the American Institute of Architects (AIA) (Ms. Soderlund), Construction Industry Management Council (CIMC) (Mr. Juliano), and Building Officials Association (BOA) (Mr. Hogarth). Ms. Vicki Soderlund has been nominated to replace Mr. Mark Beatty's who was unable to complete his term. Mr. Frank Juliano was nominated to replace Mr. Stephen Hackl who was unable to continue to serve. The Building Official Association recommends the re-appointment of Mr. Thomas Hogarth to complete a full term. Ms. Christine Hoke has also expressed a willingness to serve another term. The nominations represent seats for an Architect Member, a Swimming Pool Contractor, a Building Official Member and a Consumer Member as cited in the Special Act and F.S. § 489.131 establishing the Construction Industry Licensing Board. Memorandums were sent to the Board of County Commissioners on November 22, 2011 advising of the vacant positions; No other nominations were received. As required by Section 2-443 of the Code of Ethics, this Agenda Item Summary will serve as disclosure for Christine Hoke. Christine Hoke's firm has contracts with Palm Beach County to provide arbitration for the Solid Waste Authority and representation for an Atlantic Ave agreement. The Construction Industry Licensing Board provides no regulation, oversight, management or policy setting recommendations regarding these contracts. Countywide (GB)

6. BOARD APPOINTMENTS

G. **PLANNING, ZONING & BUILDING (Cont'd)**  
**(Land Development Regulation Advisory Board)**

3. **Staff recommends motion to approve:** **A)** appointment of four (4) new members; and **B)** reappointment of two (2) members to the Land Development Regulation Advisory Board (LDRAB), for the term from February 7, 2012, to February 3, 2015:

**A) appoint four (4) new members**

<b><u>Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Seat Requirement</u></b>	<b><u>Nominated By</u></b>
Joni Brinkman	09	Municipal Rep.	PBC League of Cities
Jerome Baumoehl	11	Architect	American Institute of Architects
Frank Gulisano	13	Realtor	Realtor's Assn of the Palm Beaches
Leo Plevy	19	None (Alternate)	Comm. Aaronson

**B) reappoint two (2) members**

<b><u>Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Seat Requirement</u></b>	<b><u>Nominated By</u></b>
Maurice Jacobson	15	Citizen Rep	Condominium/HOA Assn
Charles Wesley Blackman	17	AICP Planner	PBC Planning Congress

**SUMMARY:** The Board is comprised of 19 members. The Unified Land Development Code (ULDC) provides for seven members appointed by the Board of County Commissioners (BCC) (one from each Palm Beach County (PBC) Commissioner as a district appointment) with consideration of expertise in Art. 2.G.3.A.3.b., Qualifications; ten members that are appointed by a majority of the BCC upon a recommendation by specific organizations: Residential Builder: Gold Coast Builders; Municipal Representative: PBC League of Cities; Engineer: Florida Engineering Society; Architect: American Institute of Architects; Environmentalist: Environmental Organization; Realtor: The PBC Board of Realtors; Surveyor: Florida Surveying and Mapping Society; Citizen Representative: Condominium/HOA Association; Commercial Builder: Association General Contractors of America; and AICP Planner: PBC Planning Congress; and two members appointed at-large, as alternates, by majority vote of the BCC, with consideration of the expertise in Art. 2.G.3.A.3.b., Qualifications. These appointments/reappointments are consistent with the ULDC requirements. As required by Section 2-443(d) of the Code of Ethics, this Agenda Item Summary will serve as disclosure for Joni Brinkman. Joni Brinkman's employer contracts with Palm Beach County to provide land planning services for the County. The Land Development Regulation Advisory Board provides no regulation, oversight, management or policy-setting recommendations regarding this contract. Unincorporated (LB)

6. BOARD APPOINTMENTS

H. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY  
(Westgate/Belvedere Homes CRA Board)

1. Staff recommends motion to approve: the appointment of the following three (3) individuals for completion of unexpired terms for Seat No. 1 and Seat No. 3 until May 31, 2013, and for filling the expired term of Seat No. 5 from January 24, 2012, through May 31, 2015:

<u>Name</u>	<u>Seat No.</u>	<u>Nominated by:</u>
Christopher F. Fleming	1	Commissioner Paulette Burdick Commissioner Karen T. Marcus Commissioner Priscilla A. Taylor
Cecilia A. St. Hilaire	3	Commissioner Paulette Burdick Commissioner Karen T. Marcus Commissioner Priscilla A. Taylor
Ruth A. Haggerty	5	Commissioner Paulette Burdick Commissioner Karen T. Marcus Commissioner Priscilla A. Taylor

**SUMMARY:** The Westgate/Belvedere Homes Community Redevelopment Agency (WG/BH CRA) Board consists of seven (7) At-Large members from the general public and local businesses within the CRA boundaries. Ordinance No. 89-6 requires that the Palm Beach County Board of County Commissioners (BCC) appoint the WG/BH CRA Board Commissioners. The WG/BH CRA is seeking to appoint three (3) candidates to complete two (2) unexpired terms and one (1) expired term for Seat No. 1, Seat No. 3, and Seat No. 5. Mr. Christopher Fleming, a property owner, has expressed a willingness to complete the unexpired term of Mr. Joseph D. Peacock who held Seat No. 1 and has resigned. Ms. Cecilia St. Hilaire, a business owner, has expressed a willingness to complete the unexpired term of Mr. Frederick G. Wade who held Seat No. 3 and has resigned. Ms. Ruth Haggerty, a resident, has expressed a willingness to fill expired Seat No. 5, which was held by Mr. Dennis P. Koehler, who had resigned. At the December 12, 2011 WG/BH CRA Board meeting, Mr. Fleming, Ms. St. Hilaire, and Ms. Haggerty were nominated by the Board and residents to be recommended for appointment by the BCC. The Commissioners were notified of the vacancies by the WG/BH CRA on December 13, 2011. District 2 (RB)

I. COMMISSION DISTRICT APPOINTMENTS

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**JANUARY 24, 2012**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**8. COMMISSIONER COMMENTS**

**A. District 1 - COMMISSIONER KAREN T. MARCUS**

**B. District 2 – COMMISSIONER PAULETTE BURDICK**

**C. District 3 - COMMISSIONER SHELLEY VANA, CHAIR**

**D. District 4 – COMMISSIONER STEVEN L. ABRAMS, VICE CHAIRMAN**

**E. District 5 - COMMISSIONER BURT AARONSON**

Request approval to present off-site, a Proclamation declaring March 22, 2012 as “All People’s Day” in Palm Beach County.

**F. District 6 - COMMISSIONER JESS R. SANTAMARIA**

**G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR**

**9. ADJOURNMENT**

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

**BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA**

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**JANUARY 24, 2012**

<u>PAGE</u>	<u>ITEM</u>	
17	3E-7	<b><u>DELETED:</u> Staff recommends motion to approve:</b> Recommended grant awards for Ryan White Part A and Minority AIDS Initiative (MAI)...(Community Services) (Further staff review)
17	3F-1	<b><u>REVISED MOTION:</u> Staff recommends motion to <del>approve</del> <b>receive and file:</b> an Extension of Time to the following Joint Participation Agreements (JPA) with the Florida Department of Transportation (FDOT):...(Airports)</b>
24	3G-2	<b><u>REVISED SUMMARY:</u></b> The Code Enforcement Special Master (CESM) entered an Order on April 5, 2006, giving West Boynton Auto Services, Inc. (WBAS) until May 5, 2006 to cease operating their Budget Rental Trucks business on the property without BCC approval. This accessory business was not indicated, <del>or a part of the original BCC approval and was not shown on an approved site plan for their</del> <u>the</u> property. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$500 per day was imposed. The CESM then entered a claim of lien against WBAS on August 2, 2006. The cited code violations were fully corrected as of December 13, 2006. The total accumulated lien amount through April 30, 2009, the date settlement discussions began, totaled \$164,260.17 of which WBAS has agreed to pay the County \$54,750 (33.33%) for full settlement of their outstanding Code Enforcement Lien. <u>District 5 (PGE) (OFMB)</u>
28	3I-3	<b><u>REVISED TITLE:</u> Staff recommends motion to approve:</b> the following two (2) Community Development Block Grant Agreements: <b>A)...B)</b> an Agreement with the City of Greenacres in the amount of \$90,830 for the period of January 24, 2012, to <del>December 15, 2013</del> <u>December 30, 2012</u> . (HCD)
35	3P-2	<b><u>REVISED TITLE &amp; SUMMARY:</u> Staff recommends motion to ratify:</b> the Chair's signature on the Champions for Healthy Kids Legacy Awards Grant <del>Memorandum</del> <u>Application</u> with General Mills in an amount not to exceed \$50,000 <del>from</del> <u>for</u> the period of July 1, 2012, through July 31, 2013. <b>SUMMARY:</b> The Cooperative Extension Service has submitted an electronic grant application to General Mills entitled Champions for Healthy Kids Legacy Awards for the purpose of improving nutrition and fitness of youth in Palmetto Elementary School which is a Title I school. <u>In accordance with PPM CW-F-003, the</u> <del>The</del> emergency signature process <u>by the Chair</u> was used because there was not sufficient time to submit <u>the grant application</u> through the regular Board of County Commissioners process. If the grant is <del>received</del> <u>awarded</u> , it will provide <u>\$50,000 to the County</u> for one (1) program assistant position and supplies <u>for the Healthy Kids Program. No County match is required.</u> <u>Countywide (AH) (Cooperative Extension)</u>
48	5A-4	<b><u>REVISED MOTION/TITLE:</u> Staff recommends motion to adopt:</b>  <b><u>A) adopt</u></b> a Resolution by the Board of County Commissioners of Palm Beach County, Florida, <del>conceptually approving a \$75,000 Job Growth Incentive (JGI) Grant with Digital Risk, LLC as a portion of the local match for a State recommending Digital Risk, LLC be approved as a Qualified Target Industry (QTI) Grant Business pursuant to s.288.106, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Refund with a High Impact Sector Bonus;</del> <u>approving up to \$75,000;</u> and providing for an effective date; <u>and</u>  <b><u>B) conceptually approve</u></b> a \$75,000 Job Growth Incentive (JGI) Grant with Digital Risk, LLC as a portion of the local match for a State Qualified Target Industry (QTI) Grant with a High Impact Sector Bonus. (Admin/EDO)

- 50            5A-8            **ADD-ON: Staff recommends motion to receive and file:** Proof of Publication of the advertisement of the adopted Ordinance reflecting new commission districts legal boundaries as required by the Constitution of the United States, Constitution of the State of Florida, Florida Statutes and the Federal Voting Rights Act. **SUMMARY:** On December 20, 2011, the Board of County Commissioners adopted new commission boundaries based on 2010 census. Florida Statute 124.02 require a certified copy of the Ordinance approving revised commission districts, including their legal descriptions, be published once a week for two consecutive weeks in a newspaper published in Palm Beach County. The required publications were advertised on December 31, 2011 and January 7, 2012. In addition, Florida Statute 124.03 require the Clerk of Courts of Palm Beach County to submit to the Department of State a certified copy of the minutes of the Board acknowledging the required advertisement of the adopted Ordinance reflecting the description of new commission districts. Countywide (LB) (Admin)
- 51            5B-1            **DELETED: Staff recommends motion to approve: A)** Service Agreement with American Eldercare, Inc., for the Division of Senior Services (DOSS), to provide community-based assistance as a service provider effective February 1, 2012;...(Community Services) (Further staff review)
- 52            5C-3            **ASSIGNED TIME CERTAIN 10:30 A.M. Staff requests Board direction:** on the conclusion of contract negotiations for the sale and development of the Wedge Property located within the Transit Oriented Development District in downtown West Palm Beach. (FDO)
- 53            5D-1            **REVISED SUMMARY:** The resolution will authorize a County tax exemption for the following historic property located within the City of Delray Beach:
- Address: 138 Northeast 1<sup>st</sup> Avenue Delray Beach / property type (residential).
- If granted, the tax exemption will take effect January 1, ~~2011~~ 2012, and remain in effect for ten (10) years, or until December 31, ~~2020~~ 2021. The exemption will apply to 100 percent of the assessed value of all improvements to each historic property, which resulted from restoration, renovation, or rehabilitation of the property. Based on the ~~2012~~ 2011 Countywide Millage Rate, it is estimated that approximately \$1,302.54 tax dollars will be exempted annually for the property. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. District 7 (RB) (PZB)
- 56            5G-1            **Note: BCC must RECESS AS THE BOARD OF COUNTY COMMISSIONERS and CONVENE as the ENVIRONMENTAL CONTROL BOARD:**
- Staff recommends motion to approve:** a Memorandum of Agreement with the Department of Health (“Department”) to delegate the duties and responsibilities of the Environmental Control Officer (“ECO”) to the Department’s local legal office. **SUMMARY:** Chapter 77-616, Laws of Florida (“Special Act”), as amended, authorizes the Board of County Commissioners of Palm Beach County, sitting as the Environmental Control Board, to appoint an ECO. Pursuant to the Special Act, the ECO may be either an attorney or an engineer. The purpose of this Memorandum of Agreement is to officially delegate the duties and responsibilities of the ECO to the Department’s legal office. Countywide (GDB)
- After BCC Action: BCC must ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD AND RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS.** (County Attorney)

**NOTE:** Items that were revised, added, deleted, or backup submitted and were not listed on the addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (\*).